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

2012

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 2012, or tax year beginning , 2012, and ending

The Statler Foundation  
Plaza Suites #222, 1207 Delaware  
Buffalo, NY 14209

A Employer identification number  
13-1889077

B Telephone number (see the instructions)  
716-852-1104

C If exemption application is pending, check here ☐

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

D 1 Foreign organizations, check here ☐

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

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

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

I Fair market value of all assets at end of year (from Part II, column (c), line 16)  
\$ 32,383,893.

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

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

## Part I Analysis of Revenue and Expenses

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see instructions).)

(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
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		(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 (att sch)				
	2 Ck <input checked="" type="checkbox"/> if the foundn is not req to att Sch B				
	3 Interest on savings and temporary cash investments	7,212.	7,212.		
	4 Dividends and interest from securities	679,682.	679,682.		
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain/(loss) from sale of assets not on line 10	1,134,902.			
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV, line 2)		1,134,902.		
	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/(loss) (att sch)					
11 Other income (attach schedule)	See Statement 1	76,920.	76,920.		
12 Total. Add lines 1 through 11		1,898,716.	1,898,716.	0.	
ADMINISTRATIVE EXPENSES	13 Compensation of officers, directors, trustees, etc	265,620.	10,625.		254,995.
	14 Other employee salaries and wages	44,100.	4,410.		39,690.
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule) See St 2	6,578.	987.		5,591.
	b Accounting fees (attach sch) See St 3	36,100.	5,415.		30,685.
	c Other prof fees (attach sch) See St 4	469,016.	469,016.		
	17 Interest	22,433.	22,433.		
	18 Taxes (attach schedule) (see instrs) See Stm 5	4,740.	1,117.		3,301.
	19 Depreciation (attach sch) and depletion	354.	172.		
	20 Occupancy	10,380.	1,038.		9,342.
	21 Travel, conferences, and meetings	4,707.			4,707.
	22 Printing and publications				
	23 Other expenses (attach schedule)				
	24 Total operating and administrative expenses. Add lines 13 through 23	43,268.	7,083.		38,559.
	25 Contributions, gifts, grants paid Part XV	907,296.	522,296.		386,870.
26 Total expenses and disbursements. Add lines 24 and 25	1,328,399.			1,328,399.	
27 Subtract line 26 from line 12:	2,235,695.	522,296.	0.	1,715,269.	
a Excess of revenue over expenses and disbursements	-336,979.				
b Net investment income (if negative, enter -0-)		1,376,420.			
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		42,448.	130,688.	130,688.
	2	Savings and temporary cash investments		455,705.	226,201.	226,201.
	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)				
	b	Investments — corporate stock (attach schedule)		30,255,039.	30,058,363.	32,025,004.
	c	Investments — corporate bonds (attach schedule)				
	LIABILITIES	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	12,381.			
		Less: accumulated depreciation (attach schedule) See Stmt 7	11,703.	1,032.	678.	2,000.
15		Other assets (describe)				
16		<b>Total assets</b> (to be completed by all filers — see the instructions. Also, see page 1, item I)		30,754,224.	30,415,930.	32,383,893.
17		Accounts payable and accrued expenses		2,342.	1,027.	
18		Grants payable				
NET ASSETS OR FUND BALANCES	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)		2,342.	1,027.	
		<b>Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.</b>				
	24	Unrestricted				
	25	Temporarily restricted				
	26	Permanently restricted				
		<b>Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.</b>				
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		30,751,882.	30,414,903.		
30	<b>Total net assets or fund balances</b> (see instructions)		30,751,882.	30,414,903.		
31	<b>Total liabilities and net assets/fund balances</b> (see instructions)		30,754,224.	30,415,930.		

## 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	30,751,882.
2	Enter amount from Part I, line 27a	2	-336,979.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	30,414,903.
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	30,414,903.

**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)
1 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	1,134,902.
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 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 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))
2011	1,880,304.	32,041,521.	0.058683
2010	1,427,690.	30,771,319.	0.046397
2009	1,882,732.	28,360,057.	0.066387
2008	1,733,610.	33,071,933.	0.052419
2007	1,619,917.	37,725,289.	0.042940

2 Total of line 1, column (d)	2	0.266826
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	0.053365
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5	4	31,883,009.
5 Multiply line 4 by line 3	5	1,701,437.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	13,764.
7 Add lines 5 and 6	7	1,715,201.
8 Enter qualifying distributions from Part XII, line 4	8	1,715,269.

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)**

1 a 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 Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b		1	13,764.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (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	13,764.
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	13,764.
6 Credits/Payments:			
a 2012 estimated tax pmts and 2011 overpayment credited to 2012	6 a	21,976.	
b Exempt foreign organizations – tax withheld at source	6 b		
c Tax paid with application for extension of time to file (Form 8868)	6 c		
d Backup withholding erroneously withheld	6 d		
7 Total credits and payments. Add lines 6a through 6d	7	21,976.	
8 Enter any penalty for underpayment of estimated tax. Check here <input checked="" type="checkbox"/> 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	0.	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	8,212.	
11 Enter the amount of line 10 to be: Credited to 2013 estimated tax 8,212. Refunded	11	0.	

**Part VII-A Statements Regarding Activities**

	Yes	No
1 a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see 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
c Did the foundation file Form 1120-POL for this year?..		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation \$ 0. (2) On foundation managers \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If 'Yes,' attach a detailed description of the activities.</i>		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? <i>If 'Yes,' attach a conformed copy of the changes</i>		X
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If 'Yes,' has it filed a tax return on Form 990-T for this year?	N/A	
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>		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see instructions) NY		
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	
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 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? <i>If 'Yes,' complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses</i>		X

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

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If 'Yes', attach schedule (see instructions).	11		X
12	Did the foundation 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).	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address <u>N/A</u>	13	X	
14	The books are in care of <u>Peter J. Fiorella, Jr.</u> Telephone no <u>716-852-1104</u> Located at <u>Plaza Suites #222, 1207 Delaware Avenue Buff</u> ZIP + 4 <u>14209</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <u>N/A</u> and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> <u>N/A</u>			
16	At any time during calendar year 2012, 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 <u></u>	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
1 a 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? (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.)	<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 <u></u>	1 b	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 2012?	1 c	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 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012? If 'Yes,' list the years <u>20</u> , <u>20</u> , <u>20</u> , <u>20</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 )	2 b	N/A
c If the provisions of section 4942(a)(2) are being applied to <b>any</b> of the years listed in 2a, list the years here <u>20</u> , <u>20</u> , <u>20</u> , <u>20</u>		
3 a 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 2012 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 2012.)	3 b	N/A
4 a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4 a	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 2012?	4 b	X

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**Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required** (continued)**5a** During the year did the foundation pay or incur any amount to:

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

5 b N/A

Organizations relying on a current notice regarding disaster assistance check here

☐**c** If the answer is 'Yes' to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?N/A ☐ Yes ☐ No

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

**6a** Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6 b X

If 'Yes' to 6b, file Form 8870

**7a** At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?☐ Yes ☒ No**b** If 'Yes,' did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7 b

**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
See Statement 8				
		265,620.	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
Julianna D. Petronella 705 Busti Avenue Buffalo, NY	Office Manager 24	44,100.	0.	0.

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
New England Pension Consultants One Main Street Cambridge, MA 02142	Investment Advisory	173,726.
PanAgora Risk Parity Total Return Fund, LLC 470 Atlantic Ave. 8th Flr Boston, MA 02210	Investment Fees	90,900.
Wellington Trust Co. N.A. 280 Congress St. Boston, MA 02210	Investment Fees	56,772.
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 None	
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	
Total. Add lines 1 through 3	0.

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**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>1 a</b>	32,312,287.
<b>b</b> Average of monthly cash balances	<b>1 b</b>	54,250.
<b>c</b> Fair market value of all other assets (see instructions)	<b>1 c</b>	2,000.
<b>d</b> Total (add lines 1a, b, and c)	<b>1 d</b>	32,368,537.
<b>e</b> Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1 e</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>	32,368,537.
<b>4</b> Cash deemed held for charitable activities Enter 1-1/2% of line 3 (for greater amount, see instructions)	<b>4</b>	485,528.
<b>5</b> Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	<b>5</b>	31,883,009.
<b>6</b> Minimum investment return. Enter 5% of line 5	<b>6</b>	1,594,150.

**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>	1,594,150.
<b>2a</b> Tax on investment income for 2012 from Part VI, line 5	<b>2 a</b>	13,764.
<b>b</b> Income tax for 2012. (This does not include the tax from Part VI.)	<b>2 b</b>	
<b>c</b> Add lines 2a and 2b	<b>2 c</b>	13,764.
<b>3</b> Distributable amount before adjustments Subtract line 2c from line 1	<b>3</b>	1,580,386.
<b>4</b> Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b> Add lines 3 and 4	<b>5</b>	1,580,386.
<b>6</b> Deduction from distributable amount (see instructions)	<b>6</b>	
<b>7</b> Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1	<b>7</b>	1,580,386.

**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>1 a</b>	1,715,269.
<b>b</b> Program-related investments — total from Part IX-B	<b>1 b</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>3 a</b>	
<b>b</b> Cash distribution test (attach the required schedule)	<b>3 b</b>	
<b>4</b> Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	1,715,269.
<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>	13,764.
<b>6</b> Adjusted qualifying distributions. Subtract line 5 from line 4	<b>6</b>	1,701,505.

**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 2011	(c) 2011	(d) 2012
1 Distributable amount for 2012 from Part XI, line 7				1,580,386.
2 Undistributed income, if any, as of the end of 2012:				
a Enter amount for 2011 only			785,946.	
b Total for prior years: 20____, 20____, 20____		0.		
3 Excess distributions carryover, if any, to 2012:				
a From 2007				
b From 2008				
c From 2009				
d From 2010				
e From 2011				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2012 from Part XII, line 4. ▶ \$ 1,715,269.				
a Applied to 2011, but not more than line 2a			785,946.	
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 2012 distributable amount				929,323.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2012 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount — see instructions.		0.		
e Undistributed income for 2011. Subtract line 4a from line 2a. Taxable amount — see instructions.			0.	
f Undistributed income for 2012. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2013				651,063.
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 2007 not applied on line 5 or line 7 (see instructions)	0.			
9 Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2008				
b Excess from 2009				
c Excess from 2010				
d Excess from 2011				
e Excess from 2012				

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Form 990-PF (2012)

N/A

- (4) Gross investment income**

[illegible]

See Statement for Line 2a

**Part VII 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
<b>a</b> Paid during the year See Attached			Various - See Attached	1,328,399.
<b>Total</b>				<b>3 a</b> 1,328,399.
<b>b</b> Approved for future payment				
<b>Total</b>				<b>3 b</b>

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

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions )
		(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1	Program service revenue					
a						
b						
c						
d						
e						
f						
g	Fees and contracts from government agencies					
2	Membership dues and assessments					
3	Interest on savings and temporary cash investments			14	7,212.	
4	Dividends and interest from securities			14	679,682.	
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			14	76,920.	
8	Gain or (loss) from sales of assets other than inventory			18	1,134,902.	
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)				1,898,716.	
13	<b>Total.</b> Add line 12, columns (b), (d), and (e)				<b>13</b>	<b>1,898,716.</b>

(See worksheet in line 13 instructions to verify calculations )

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

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**Statement 1**  
**Form 990-PF, Part I, Line 11**  
**Other Income**

	(a) Revenue per Books	(b) Net Investment Income	(c) Adjusted Net Income
Other Investment Income	\$ 76,920.	\$ 76,920.	
Total	<u>\$ 76,920.</u>	<u>\$ 76,920.</u>	<u>0.</u>

**Statement 2**  
**Form 990-PF, Part I, Line 16a**  
**Legal Fees**

	(a) Expenses Per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
	\$ 6,578.	\$ 987.		\$ 5,591.
Total	<u>\$ 6,578.</u>	<u>\$ 987.</u>	<u>\$ 0.</u>	<u>\$ 5,591.</u>

**Statement 3**  
**Form 990-PF, Part I, Line 16b**  
**Accounting Fees**

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
	\$ 36,100.	\$ 5,415.		\$ 30,685.
Total	<u>\$ 36,100.</u>	<u>\$ 5,415.</u>	<u>\$ 0.</u>	<u>\$ 30,685.</u>

**Statement 4**  
**Form 990-PF, Part I, Line 16c**  
**Other Professional Fees**

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Investment Fees	\$ 469,016.	\$ 469,016.		
Total	<u>\$ 469,016.</u>	<u>\$ 469,016.</u>	<u>\$ 0.</u>	<u>\$ 0.</u>

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**Statement 5**  
**Form 990-PF, Part I, Line 18**  
**Taxes**

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Filing fees	\$ 750.	\$ 750.		
Foreign Taxes	322.			
Payroll taxes	3,668.	367.		\$ 3,301.
<b>Total</b>	<b>\$ 4,740.</b>	<b>\$ 1,117.</b>	<b>\$ 0.</b>	<b>\$ 3,301.</b>

**Statement 6**  
**Form 990-PF, Part I, Line 23**  
**Other Expenses**

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
Insurance	\$ 24,515.	\$ 2,451.		\$ 22,064.
Maintenance	600.	60.		540.
Office	14,574.	1,457.		13,117.
Penalties	426.			
Telephone	3,153.	3,115.		2,838.
<b>Total</b>	<b>\$ 43,268.</b>	<b>\$ 7,083.</b>	<b>\$ 0.</b>	<b>\$ 38,559.</b>

**Statement 7**  
**Form 990-PF, Part II, Line 14**  
**Land, Buildings, and Equipment**

Category	Basis	Accum. Deprec.	Book Value	Fair Market Value
Furniture and Fixtures	\$ 12,381.	\$ 11,703.	\$ 678.	\$ 2,000.
<b>Total</b>	<b>\$ 12,381.</b>	<b>\$ 11,703.</b>	<b>\$ 678.</b>	<b>\$ 2,000.</b>

**Statement 8**  
**Form 990-PF, Part VIII, Line 1**  
**List of Officers, Directors, Trustees, and Key Employees**

Name and Address	Title and Average Hours Per Week Devoted	Compensation	Contri- bution to EBP & DC	Expense Account/ Other
Arthur F. DuC. Musarra 8 Swallow Lane Orchard Park, NY 14127	Trustee 0	\$ 22,135.	\$ 0.	\$ 0.



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**Statement 8 (continued)**  
**Form 990-PF, Part VIII, Line 1**  
**List of Officers, Directors, Trustees, and Key Employees**

<u>Name and Address</u>	<u>Title and Average Hours Per Week Devoted</u>	<u>Compen- sation</u>	<u>Contri- bution to EBP &amp; DC</u>	<u>Expense Account/ Other</u>
William J. Cunningham, Jr. 4537 Red Bay Circle Jensen Beach, FL 34957	Trustee 0	\$ 22,135.	\$ 0.	\$ 0.
Peter J. Fiorella, Jr. 155 Summer Street Buffalo, NY 14222	Trustee 0	22,135.	0.	0.
Marguerite Collesano 120 Rivermist Drive Buffalo, NY 14202	Trustee 0	22,135.	0.	0.
Edward M. Flynn 7 Clearwater Dr. Amherst, NY 14228	Trustee 0	22,135.	0.	0.
Carlo M. Perfetto PO Box 252 Hamburg, NY 14075	Trustee 0	22,135.	0.	0.
Peter A. Vinolus 6033-4 Webster Road Orchard Park, NY 14127	Trustee 0	22,135.	0.	0.
Herbert M. Siegel 426 Franklin Street Buffalo, NY 14202	Trustee 0	22,135.	0.	0.
Robert M. Bennett 201 Millwood Lane Tonawanda, NY 14150	Trustee 0	22,135.	0.	0.
Arthur V. Sabia 14079 Mill Street Springville, NY 14141	Trustee 0	22,135.	0.	0.
Ernestine R. Green 101 Gull Landing Buffalo, NY 14202	Trustee 0	22,135.	0.	0.
Bernard A. Tolbert 1238 Bonshaw Trail Marietta, GA 30064	Trustee 0	22,135.	0.	0.

Total \$ 265,620. \$ 0. \$ 0.

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**Statement 9**  
**Form 990-PF, Part XV, Line 2a-d**  
**Application Submission Information**

Name of Grant Program:

Name:

Care Of:

Street Address:

City, State, Zip Code:

Telephone:

E-Mail Address:

Form and Content: See attached application

Submission Deadlines:

Restrictions on Awards:

# The Statler Foundation

December 31, 2012

EIN 13-1889077

## Schedule to Part II - Balance Sheet

<u>Par Value/ Shares</u>	<u>Description</u>	<u>Cost</u>	<u>Market</u>
	Cash - Schwab Account	73,792.87	73,792.87
	Cash in Bank	56,895.58	56,895.58
	<b>Total Cash and Equivalents - Line 1</b>	<b>130,688.45</b>	<b>130,688.45</b>
56,262.79	Schwab US Treasury Money Fund	0.00	0.00
399,442.23	MTB Prime Money Market	226,200.99	226,200.99
	<b>Temporary Investments - Line 2</b>	<b>226,200.99</b>	<b>226,200.99</b>
<b>Stock Mutual Funds</b>			
2,416.00	EGShares ETF Emerging Markets	62,163.68	64,362.24
1,160.00	Ishares ETF AAA-A Rated Corporate Bond Fund	60,718.93	60,633.20
7,682.00	Ishares FTSE NAREIT Global Real Estate Index Fund	217,774.20	254,504.66
9,098.00	Ishares Gold Trust	154,919.78	148,108.16
5,315.00	Ishares MSCI Germany Index Fund	122,030.80	131,280.50
6,613.00	Ishares MSCI Hon Kong Index Fund	122,229.40	128,424.46
916.00	Ishares TR Barclays 7-10 Year Treasury Bond Fund	88,503.92	98,460.84
1,883.00	Ishares TR Russell 2000 Index Fund	152,944.79	158,770.42
1,735.00	Market Vectors ETF Trust Gold Miners Fund	83,658.40	80,486.65
5,451.00	PowerShares S&P ETF 500 Low Volatility Portfolio	141,164.55	150,883.68
4,410.00	Powershares DB Commodity Index	108,223.56	122,509.80
3,930.00	Powershares ETF Emerging Markets Sovereign Fund	122,144.40	123,582.78
6,114.00	Powershares QQQ Trust SER 1	361,659.89	398,205.43
209.00	SPDR Gold Trust Shares	31,276.85	33,862.26
4,679.00	Vanguard Dividend Appreciation	262,289.25	278,728.03
3,957.00	Vanguard MSCI EAFE ETF	151,671.81	139,405.11
2,160.00	Vanguard MSCI Emerging	95,343.11	96,184.80
5,260.00	Vanguard REIT	287,726.17	346,108.00
2,116.00	Vanguard Total Stock Market	116,143.56	155,060.48
1,733.00	Wisdomtree Asia ETF	90,133.33	91,069.15
276,889.25	GMO Benchmark - Free Allocation Fund III	5,486,505.60	5,717,763.10
	GMO Multi-Strategy Fund (Offshore), L.P.	1,667,726.58	1,379,401.49
505,024.03	Wellington Trust Co. - CTF OPP Investment	5,003,643.53	5,524,962.88
379,343.55	Pimco All Asset Inst	4,438,111.26	4,772,141.91
1,381.41	Benchmark Plus Institutional Partners Fund	1,281,740.00	1,603,408.00
641.51	Federal Street Associates Offshore Fund, LTD	1,042,326.41	989,871.61
	Panagora Risk Parity Total Return Fund, LLC	4,780,999.08	5,134,821.43
13,455.25	Gottex Market Neutral Plus Fund SPC	1,340,546.92	1,401,416.59
	<b>Total Mutual Funds</b>	<b>27,874,319.76</b>	<b>29,584,417.66</b>
<b>Private Equity</b>			
	Tennenbaum DIP Opportunity Fund, LLC	33,144.29	68,780.00
	Permal Private Equity Opportunities IV, LP	411,746.95	536,154.00
	Siguler Guff Distressed Opportunities Fund IV, LP	517,810.00	522,049.00
	Private Advisors Small Company Buyout Fund IV, LP	265,781.03	269,386.00
	Perella Weinberg Partners ABV Opportunity Offshore Fund III B	505,561.00	554,490.00
	Marathon European Credit Opportunity Fund SPC	450,000.00	489,726.85
	<b>Total Private Equity</b>	<b>2,184,043.27</b>	<b>2,440,585.85</b>
	<b>Total Investments - Line 10(b)</b>	<b>30,058,363.03</b>	<b>32,025,003.51</b>

**The Statler Foundation**  
December 31, 2012  
EIN 13-1889077  
Schedule to Part IV - Capital Gains

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Transaction Date	Description	Proceeds	Federal Tax Cost	Gain/ (Loss)
02/01/2012	Wellington Trust Co , NA CTF OPP Investment	13,701 32	13,256 30	445 02
02/02/2012	Currency Shares Japaese Yen Trust	161,884 62	160,678 46	1,206 16
02/02/2012	Ishares Gold trust	17,439 75	17,241 48	198 27
02/02/2012	Ishares MSCI HK FD Hong Kong Index	136,129 18	114,515 67	21,613 51
02/02/2012	Ishares MSCI HK FD Hong Kong Index	136,179 84	132,034 85	4,144 99
02/02/2012	PIMCO Exch Traded Fund 15+ Yr US Tips	33,018 19	27,714 70	5,303 49
02/02/2012	Vanguard Total Stock Mkt Index	522,138 93	491,147 73	30,991 20
02/29/2012	GMO Benchmark Free Fund	86,575 61	82,426 16	4,149 45
02/29/2012	GMO Benchmark Free Fund	11,207 70	10,670 53	537 17
04/02/2012	PIMCO All Asset Inst	100,000 00	95,659 98	4,340 02
04/30/2012	GMO Benchmark Free Fund	320,791 75	305,269 58	15,522 17
05/01/2012	Wellington Trust Co , NA CTF OPP Investment	14,486 09	13,620 77	865 32
06/01/2012	Federal Street Associates Offshore Fund, Ltd - Class A	50,956 25	57,445 49	(6,489 24)
06/06/2012	Ishares TR Barclays Tips Bond Fund	109,186 63	104,208 03	4,978 60
06/06/2012	SPDR S&P 500 ETF TR Expiring 01/22/2118	101,318 16	102,299 36	-981 2
06/06/2012	SPDR Gold Trust	78,406 56	60,045 67	18,360 89
06/06/2012	Vanguard Dividend Appreciation	18,555 17	15,485 17	3,070 00
06/06/2012	Vanguard Dividend Appreciation	47,911 10	44,816 00	3,095 10
06/29/2012	PIMCO All Asset Inst	350,000 00	340,335 85	9,664 15
07/09/2012	GMO Benchmark Free Fund	4,580 46	0 00	4,580 46
07/09/2012	GMO Benchmark Free Fund	38,781 19	0 00	38,781 19
07/17/2012	SPDR Gold Trust	24,141 63	19,083 34	5,058 29
07/17/2012	SPDR Gold Trust	56,740 53	47,424 82	9,315 71
07/17/2012	SPDR Gold Trust	11,993 93	11,672 70	321 23
08/01/2012	Wellington Trust Co , NA CTF OPP Investment	14,085 97	13,594 02	491 95
08/31/2012	GMO Benchmark Free Fund	10,365 36	9,806 92	558 44
08/31/2012	GMO Benchmark Free Fund	24,400 88	23,108 02	1,292 86
10/02/2012	Ishares IBOXX Investop Corporate Bond Fund	105,557 90	96,602 93	8,954 97
10/02/2012	SPDR Barclays Capital High Yield Bond	173,480 45	171,734 36	1,746 09
10/02/2012	Ishares TR Barclays Tips Bond Fund	167,168 21	156,254 73	10,913 48
10/02/2012	PIMCO Exch Traded Fund 15+ Yr US Tips	73,095 12	57,122 76	15,972 36
10/02/2012	Powershares QQQ Trust Ser 1 QQQ	29,739 15	24,558 51	5,180 64
10/02/2012	SPDR Gold Trust	40,356 26	35,018 10	5,338 16
11/01/2012	Wellington Trust Co , NA CTF OPP Investment	14,498 29	13,445 71	1,052 58
11/05/2012	Ishares ETF AAA-A Rated Corporate Bond Fund	11,632 08	11,568 00	64 08
11/05/2012	Ishares FTSE EPRA NAREIT Global Real Estate	49,767 55	42,697.73	7,069 82
11/05/2012	Ishares Gold trust	22,240 02	22,452 84	-212 82
11/05/2012	Ishares MSCI Germany Index Fund	22,482 24	22,477 55	4 69
11/05/2012	Ishares MSCI HK FD Hong Kong Index	23,272 48	23,251 87	20.61
11/05/2012	Ishares TR Russell 2000 Index Fund	18,496 69	18,437 85	58 84
11/05/2012	Market Vectors ETF Trust Gold Miners Fund	18,050 70	16,490 59	1,560 11
11/05/2012	Powershares S&P ETF 500 Low Volatility Portfolio	31,651.15	29,160 02	2,491 13
11/05/2012	Powershares ETF TR Emerging Mkts Sovereign Debt F	23,033 47	23,030 28	3 19
11/05/2012	Powershares DB Commodity Index	16,591 41	14,273 42	2,317 99
11/05/2012	Powershares QQQ Trust Ser 1 QQQ	46,217 52	40,512 99	5,704 53
11/05/2012	Vanguard Dividend Appreciation	25,708 17	22,589 33	3,118 84
11/05/2012	Vanguard Dividend Appreciation	17,748 07	16,167 28	1,580 79
11/05/2012	Vanguard REIT	38,213 02	30,832 15	7,380 87
11/05/2012	Vanguard Total Stock Mkt Index	27,221 79	24,178 00	3,043 79
11/05/2012	WisdomTree Asia ETF Local Debt Fund	12,264 41	12,066 32	198 09
11/12/2012	PIMCO All Asset Inst	200,000 00	183,429 54	16,570 46
11/30/2012	GMO Benchmark Free Fund	324,533 53	301,709 62	22,823 91
11/30/2012	GMO Benchmark Free Fund	9,937 13	9,238 27	698 86
12/01/2012	Federal Street Associates Offshore Fund, Ltd - Class S	4,498 92	4,361 50	137 42
12/06/2012	Vanguard MSCI Emerging Markets ETF	75,839 90	86,952 04	(11,112 14)
12/27/2012	GMO Benchmark Free Fund	31,714 80	0 00	31,714 80
12/27/2012	GMO Benchmark Free Fund	88,690 79	0 00	88,690 79
12/31/2012	WisdomTree Asia ETF Local Debt Fund	490 27	0 00	490 27
<b>Total Capital Gain Sales</b>		<b>4,239,168 29</b>	<b>3,824,175 89</b>	<b>414,992 40</b>

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<u>Transaction Date</u>	<u>Description</u>	<u>Proceeds</u>	<u>Federal Tax Cost</u>	<u>Gain/ (Loss)</u>
<u>Capital Gain/Loss Distributions</u>				
		<u>Gains</u>	<u>Losses</u>	
01/31/2012	HSBC Class Action Settlement	8,177 40		
01/31/2012	Panagora Risk Parity Total Return Fund, LLC	324 88	(27,488 37)	
02/28/2012	Panagora Risk Parity Total Return Fund, LLC	41,309 22		
02/29/2012	Juniper Networks	8,975 85		
02/29/2012	Private Advisors Small Company Buyout Fund IV, L P	2,707 72		
03/31/2012	Permal Private Equity Opportunity Fund	1,711 00		
03/31/2012	Panagora Risk Parity Total Return Fund, LLC	208,665 48		
04/30/2012	Panagora Risk Parity Total Return Fund, LLC	7,636 92	(41,119 14)	
05/31/2012	Panagora Risk Parity Total Return Fund, LLC	56,884 07		
06/26/2012	Permal Private Equity Opportunity Fund		(632 00)	
06/26/2012	HSBC Class Action Settlement	7,941 69		
06/30/2012	Private Advisors Small Company Buyout Fund IV, L P	225 84		
06/30/2012	Panagora Risk Parity Total Return Fund, LLC	5,486 95	(80,676 80)	
07/31/2012	Permal Private Equity Opportunity Fund	16,529 86		
07/31/2012	Private Advisors Small Company Buyout Fund IV, L P	6,635 42		
07/31/2012	Panagora Risk Parity Total Return Fund, LLC	1,552 59		
08/31/2012	Panagora Risk Parity Total Return Fund, LLC	189,801 78		
09/30/2012	Permal Private Equity Opportunity Fund	8,922 00		
09/30/2012	Panagora Risk Parity Total Return Fund, LLC	270,193 00		
10/31/2012	Panagora Risk Parity Total Return Fund, LLC	22,841 07	(7,673 17)	
11/30/2012	Private Advisors Small Company Buyout Fund IV, L P	139 16		
11/30/2012	Panagora Risk Parity Total Return Fund, LLC		(21,216 46)	
12/31/2012	Panagora Risk Parity Total Return Fund, LLC		(674 98)	
12/31/2012	Permal Private Equity Opportunity Fund	9,300 00		
12/31/2012	Tennebaum Capital Partners LLC	2,063 00		
12/31/2012	Permal Private Equity Opportunity Fund	13,849 90		
12/31/2012	Perella Weinberg Partners ABV Opportunity Offshore FL	3,892 00		
12/31/2012	Private Advisors Small Company Buyout Fund IV, L P	9,057 00		
12/31/2012	Siguler Guff Distressed Opportunities Fund IV, LP		(5,433 00)	
<b>Total Capital Gain/Loss Distributions</b>		<u>904,823 80</u>	<u>(184,913 92)</u>	719,909 88
<b>Total Capital Gain Sales</b>				<u>414,992 40</u>
<b>Grand Total Capital Gains</b>				<u>1,134,902 28</u>

# The Statler Foundation

## 2012 Scholarships and Grants

Attachment to 2012 Form 990-PF Part XV Section 3a

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1/17/2012	1609	Kathryn Peterson	2011 Air Fare	218.65
3/19/2012	1610	Culinary Institute of America	Erica Wosky	1,000.00
3/19/2012	1611	Mercyhurst College	Miranda, MJ	1,000.00
4/16/2012	1612	Culinary Institute of America	Lockwood, Alexis	1,000.00
4/16/2012	1613	Niagara University	Rutkowski, R.N. #0676251	3,303.00
4/16/2012	1614	Pennsylvania State University	Cayla M. Danko #950124364	8,606.00
4/16/2012	1615	Florida International University	Russell A. Morgan # 3351535	2,389.62
5/2/2012	1616	Cornell University	G. Kennedy #2067478	10,000.00
5/2/2012	1617	Paul Smith's College	Beattle, Lauren #196774	8,275.00
5/2/2012	1618	Purdue University	Kathryn H. Peterson #021978435	10,000.00
4/16/2012	1620	Mercyhurst College	Angela Schroeder #0539092	5,253.50
5/2/2012	1621	Michigan State University	Micheal Erlingis #A40962719	6,008.28
5/2/2012	1622	Buffalo State College	Spring Scholarships	18,745.50
5/2/2012	1623	Trocaire College	Spring Scholarships	19,000.00
5/2/2012	1624	Niagara University	Spring 2012 Scholarships	90,000.00
5/2/2012	1625	Niagara County Community College	2012 Spring Scholarships	15,000.00
5/2/2012	1626	Erie Community College	2012 Spring Scholarships	37,500.00
5/2/2012	1627	Johnson & Wales University	Spring 2012 Scholarships	25,000.00
5/2/2012	1628	Monroe Community College	Spring 2012 Scholarships	5,000.00
5/2/2012	1629	Paul Smith's College	2012 Spring Scholarships	25,000.00
4/17/2012	1630	Johnson & Wales University	Stephanie Soto #J01865159	6,666.66
4/23/2012	1631	Mercyhurst College	Angela Schroeder #0539092	6,659.00
8/27/2012	1632	The Restaurant School	Brylinski, Paul M.	1,000.00
12/3/2012	1643	Buffalo State College	Fall 2012 Scholarships	14,932.00
12/3/2012	1644	Trocaire College	Fall 2012 Scholarships	24,000.00
12/3/2012	1645	Paul Smith's College	Fall 2012 Scholarships	25,000.00
12/3/2012	1646	Monroe Community College	Fall 2012 Scholarships	5,000.00
12/3/2012	1647	Erie Community College	Fall 2012 Scholarships	37,500.00
12/3/2012	1648	Johnson & Wales University	Fall 2012 Scholarships	25,000.00
12/3/2012	1649	Niagara County Community College	Fall 2012 Scholarships	15,000.00
12/3/2012	1650	Niagara University	Fall 2012 Scholarships	90,000.00
12/3/2012	1651	Cornell University	Cusma, V. #2083760	10,000.00
12/3/2012	1652	Mercyhurst College	Anderson, N. #0329010	6,667.00

# **The Statler Foundation** **2012 Scholarships and Grants**

Attachment to 2012 Form 990-PF Part XV Section 3a

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
12/3/2012	1653	Johnson & Wales University	Cloud, C. #J01881622	9,760.00
12/3/2012	1654	Michigan State University	Finstad, Paul #A 42084400	5,978.88
12/3/2012	1655	Rochester Institute of Technology	Evan Coyne #650000323	10,497.00
12/3/2012	1656	Niagara University	Harmon, Stephanie #0679860	4,750.00
12/3/2012	1657	Paul Smith's College	Bramley, Mitchell #023834	10,000.00
12/3/2012	1658	Florida International University	Maggerd, David #3788767	4,091.42
12/3/2012	1659	Purdue University for K. Peterson	Willis, Christopher #023667341	10,000.00
12/3/2012	1660	Buffalo State College	O'Leary, Robert #B00645676	3,597.00
12/3/2012	1661	Pennsylvania State University	Parks, Madeline #967264280	10,000.00
<b>TOTAL SCHOLARSHIPS</b>				<u><u>628,398.51</u></u>
12/3/2012	1633	Olmstead Center for Sight	2012 Grant	135,000
12/3/2012	1634	Florida International University	2012 Grant	45,000
12/3/2012	1635	Erie Community College	2012 Grant	40,000
12/3/2012	1636	Rochester Institute of Technology	2012 Grant	30,000
12/3/2012	1637	Rochester Institute of Technology	2012 Grant	35,000
12/3/2012	1638	Niagara University	2012 Grant	100,000
12/3/2012	1639	Paul Smith's College	2012 Grant	82,000
12/3/2012	1640	Buffalo State College	2012 Grant	33,000
12/3/2012	1641	Trocaire College	2012 Grant	100,000
12/3/2012	1642	Mercyhurst College	2012 Grant	100,000
<b>TOTAL GRANTS</b>				<u><u>700,000</u></u>
<b>TOTAL SCHOLARSHIPS AND GRANTS</b>				<u><u>1,328,398.51</u></u>

# THE STATLER FOUNDATION

107 Delaware Avenue, Suite 508  
Buffalo, New York 14202

## Scholarship Application



"For research work for the benefit of the hotel industry of the United States, not only in the construction and operation of hotels, but in the training and making more proficient the workers in hotels, for the benefit of the hotel industry, as a whole." — Ellsworth M. Statler

(name of sponsoring organization)

State

Address

(name of authorized officer of sponsoring organization)

NAME OF APPLICANT

(FIRST)

(MIDDLE)

(LAST)

ADDRESS

(STREET)

(CITY)

(STATE)

(ZIP CODE)

SOCIAL SECURITY NO



**I. Personal Information (Please Print)**

1. Name of applicant (FIRST) (MIDDLE INITIAL) (LAST)

2. Permanent Address (STREET)

(City) (State) (Zip Code) Telephone No (Area Code)

3. Date of Birth

4. Sex Male ☐ Female ☐

5. Health (Check one) Excellent .. Good .... Fair . .

6. Parent's or Guardian's full name . . . . .

7. Parent's or Guardian's address . . . . .

8. Parent's or Guardian's occupation. Father . . . . .

Mother . . . . .

(a) Number in immediate family of public, high school and college age . . . . .

9. Are you a U S. Citizen? Yes . . . . . No . . . . .

10. If your parents are or have been employed in the hotel-motel or foods industry, indicate by name, location and position held . . . . .

. . . . .

**II. School Information**

1. Name of school you are now attending . . . . .

2. Date of graduation . . . . .

3. Name of your president or principal . . . . .

4. Address of the school you are now attending

5. What foreign language, if any, have you taken in school?

(see back page)

6. What foreign language if any can you speak?

How well? Fluently                      Understandably

7. What paying jobs have you held (indicate whether during the summer or school year, the approximate number of hours per week, and your earnings.)

8. List the extra-curricular or work activity you feel has contributed the most to your development

### III. Personal History

Write of your personal background, interests, etc., (Not more than 500 words.) to include:

1. When you became interested in the Hospitality Field.
2. Your experiences with the field as a customer, as a worker, in your personal contacts with those in the field.
3. Why you think you have the aptitudes and interests necessary for success in this field.
4. What progress you expect to make in the next ten years in this field.

### IV. Financial Status (Confidential)

1. Do you expect financial assistance from your family? (check box)  
Yes ☐ No ☐
2. Do you expect to receive any financial loans or grants from other private or public sources?  
If so, please list.

3. If financial assistance is available pursuant to the foregoing, how much of the total tuition can you assume? State amount in dollars.

V. **Important, please note** — Three letters of recommendation are required from responsible citizens in your area attesting to your character and integrity.

VI. After study of application, you may be notified of your personal interview.

# THE STATLER FOUNDATION

## STUDENT'S SCHOOL RECORD

To be completed, signed by the Principal, Counselor or Department Head  
and mailed as follows:

(name of sponsoring organization)

(Address)

NAME AND ADDRESS OF SCHOOL \_\_\_\_\_

STUDENT'S NAME \_\_\_\_\_

STUDENT'S ADDRESS \_\_\_\_\_

COURSE OF STUDY \_\_\_\_\_

APPLICANT'S RANK IN CLASS . . . . . \_\_\_\_\_

HIGH SCHOOL or TECHNICAL SCHOOL AVERAGE . . . . . \_\_\_\_\_

PLEASE RATE APPLICANT RELATIVE TO THE OTHER MEMBERS OF THE SAME CLASS BY  
PLACING A CHECK MARK UNDER THE APPROPRIATE COLUMN FOR EACH TRAIT LISTED:

Exc.	Good	Fair	Avg.	
				Emotional Stability
				Maturity
				Originality
				Dependability
				Drive to Achieve
				Speaking Skill
				Writing Skill
				School Citizenship (Conduct, Loyalty)
				Attitude toward Authority
				Popularity among Students
				Qualities of Leadership
				Ability to Stand Up Under College Pressure

Do you feel the applicant has made a wise choice of career \_\_\_\_\_ if so, why?  
(Yes or No)

Please attach an official transcript of Student's High School/Technical School grades up to the  
present semester.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

APPLICANT'S NAME

1 Scholarship

1 List the four-year colleges to which you have applied for hotel, motel, restaurant management or culinary arts

Name and address of School	Date Submitted	Accepted?	Major Study	Costs per Year
				Tuition
				Books
				Fees
				Room & Board
				Total

2 List the two-year colleges if any to which you have applied for hotel, motel, restaurant management or culinary arts

Name and address of College	Date Submitted	Accepted?	Major Study	Costs per Year
				Tuition
				Books
				Fees
				Room & Board
				Total

3 List the hotel, motel or restaurant employers to which you may apply for on-the-job training during the vacation period

Name and address of Business	Date Submitted	Accepted?	Training Objective	Estimated Income
				Salary or Wage \$

4 Application must be submitted by April 15 for following academic year.

5. Please enclose proof of acceptance by the school you are entering.

Date

Applicant's Signature

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

I HAVE RECEIVED A COMPLETE COPY OF THIS RETURN

NAME

OMB No 1545-1709

DATE

▶ **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>	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	<b>The Statler Foundation</b>	<b>13-1889077</b>
	Number, street, and room or suite number. If a P.O. box, see instructions	Social security number (SSN)
	<b>Plaza Suites #222, 1207 Delaware</b>	
File by the due date for filing your return. See instructions	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	<b>Buffalo, NY 14209</b>	

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 or Form 990-EZ	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 4720 (individual)	03	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 ▶ Peter J. Fiorella, Jr.

Telephone No ▶ 716-852-1104 FAX No ▶ \_\_\_\_\_

- 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, 20 13, to file the exempt organization return for the organization named above. The extension is for the organization's return for
- ▶ ☒ calendar year 20 12 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> \$	<b>21,976.</b>
<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> \$	<b>21,976.</b>
<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> \$	<b>0.</b>

**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 your return. See instructions.	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	<b>The Statler Foundation</b>	<b>13-1889077</b>
	Number, street, and room or suite number. If a P.O. box, see instructions	Social security number (SSN)
	<b>Vincent J. Muffoletto, CPA</b> <b>228 Linwood Ave</b> City, town or post office, state, and ZIP code. For a foreign address, see instructions. <b>Buffalo, NY 14209</b>	

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 or Form 990-EZ	01		
Form 990-BL	02	Form 1041-A	08
Form 4720 (individual)	03	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 Peter J. Fiorella, Jr.  
Telephone No. 716-852-1104 FAX No. \_\_\_\_\_
- 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, 2013.

5 For calendar year 2012, 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 regarding foreign investment income necessary to file a complete and accurate tax return.

8a 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.	8a \$	13,764.
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.	8b \$	21,976.
c <b>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.	8c \$	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 Peter J. Fiorella, Jr. Title Trustee Date 8/15/13  
BAA FIFZ0502L 01/21/13 Form 8868 (Rev 1-2013)