EXTENSION GRANTED TO AUGUST 15, 2013

Form **990-PF**

Department of the Treasury
Internal Revenue Service

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

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

OMB No 1545-0052

2012

Open to public Inspection

For calendar year 2012 or tax year beginning , **and ending**

Name of foundation: THE LANIE AND ETHEL FOUNDATION

A Employer identification number: 13-4133103

Number and street (or P O box number if mail is not delivered to street address): 250 W 57TH STREET — Room/suite: 1928

B Telephone number: 212-696-4050

City or town, state, and ZIP code: NEW YORK, NY 10107-0011

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: [X] 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, col. (c), line 16)* ▶$ 1,544,786.

J Accounting method: [X] 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))

	Line	Description	(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	60,869.		N/A	
	2	Check ▶ ☐ if the foundation is not required to attach Sch B				
	3	Interest on savings and temporary cash investments	8.	8.		STATEMENT 2
	4	Dividends and interest from securities	17,829.	17,824.		STATEMENT 3
	5a	Gross rents				
	b	Net rental income or (loss)				
	6a	Net gain or (loss) from sale of assets not on line 10	4,026.			STATEMENT 1
	b	Gross sales price for all assets on line 6a 226,128.				
	7	Capital gain net income (from Part IV, line 2)		9,573.		
	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)				
	11	Other income	49,450.	49,450.		STATEMENT 4
	12	**Total.** Add lines 1 through 11	132,182.	76,855.		
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc	18,929.	9,465.		9,464.
	14	Other employee salaries and wages				
	15	Pension plans, employee benefits				
	16a	Legal fees				
	b	Accounting fees STMT 5	7,862.	3,931.		3,931.
	c	Other professional fees				
	17	Interest	287.	287.		0.
	18	Taxes STMT 6	3,569.	387.		0.
	19	Depreciation and depletion				
	20	Occupancy				
	21	Travel, conferences, and meetings	3,540.	1,770.		1,770.
	22	Printing and publications				
	23	Other expenses STMT 7	16,885.	16,628.		253.
	24	**Total operating and administrative expenses.** Add lines 13 through 23	51,072.	32,468.		15,418.
	25	Contributions, gifts, grants paid	157,150.			157,150.
	26	**Total expenses and disbursements.** Add lines 24 and 25	208,222.	32,468.		172,568.
	27	Subtract line 26 from line 12				
	a	Excess of revenue over expenses and disbursements	<76,040.>			
	b	**Net investment income** (if negative, enter -0-)		44,387.		
	c	**Adjusted net income** (if negative, enter -0-)			N/A	

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223501 12-05-12 LHA **For Paperwork Reduction Act Notice, see instructions.** Form **990-PF** (2012)

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Part II Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing			
	2 Savings and temporary cash investments	1,692.	89,661.	89,661.
	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			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock STMT 9	55,534.	0.	0.
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 10	1,465,226.	1,455,125.	1,455,125.
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	1,522,452.	1,544,786.	1,544,786.
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			
	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 ▶ [X] and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted	1,522,452.	1,544,786.	
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ [ ] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg , and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 **Total net assets or fund balances**	1,522,452.	1,544,786.	
	31 **Total liabilities and net assets/fund balances**	1,522,452.	1,544,786.	

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	1,522,452.
2 Enter amount from Part I, line 27a	2	<76,040.>
3 Other increases not included in line 2 (itemize) ▶ SEE STATEMENT 8	3	98,374.
4 Add lines 1, 2, and 3	4	1,544,786.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	1,544,786.

Form **990-PF** (2012)

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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				
b	SEE ATTACHED STATEMENT			
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	226,128.		227,340.	9,573.

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a				
b				
c				
d				
e				9,573.

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	9,573.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter -0- in Part I, line 8		3	N/A

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

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

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

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

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

1 Enter the appropriate amount in each column for each year, see 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))
2011	153,996.	1,617,119.	.095229
2010	185,269.	1,563,948.	.118462
2009	172,586.	1,410,061.	.122396
2008	177,163.	1,623,099.	.109151
2007	202,054.	1,494,345.	.135212

2 Total of line 1, column (d)	2	.580450
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	.116090
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5	4	1,516,905.
5 Multiply line 4 by line 3	5	176,098.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	444.
7 Add lines 5 and 6	7	176,542.
8 Enter qualifying distributions from Part XII, line 4	8	172,568.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1 Date of ruling or determination letter ______ (attach copy of letter if necessary-see instructions) b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ ☐ and enter 1% of Part I, line 27b c All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			1	888.
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	888.
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	888.
6 Credits/Payments				
a 2012 estimated tax payments and 2011 overpayment credited to 2012	6a	1,820.		
b Exempt foreign organizations - tax withheld at source	6b			
c Tax paid with application for extension of time to file (Form 8868)	6c			
d Backup withholding erroneously withheld	6d			
7 Total credits and payments Add lines 6a through 6d			7	1,820.
8 Enter any **penalty** for underpayment of estimated tax Check here ☐ if Form 2220 is attached			8	3.
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	929.
11 Enter the amount of line 10 to be **Credited to 2013 estimated tax** ▶ 929. **Refunded** ▶			11	0.

Part VII-A Statements Regarding Activities

		Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?	1b		X
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		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? *If "Yes," attach a detailed description of the activities.*	2		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? *If "Yes," attach a conformed copy of the changes*	3		X
4a Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b If "Yes," has it filed a tax return on **Form 990-T** for this year? N/A	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		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?	6	X	
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	X	
8a 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? If "No," attach explanation*	8b	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)? *If "Yes," complete Part XIV*	9		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	10	X	

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

		Line	Yes	No
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?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ THE LANIE & ETHEL FOUNDATION Telephone no ▶212-696-4052
Located at ▶250 W 57TH STREET, STE 1928, NEW YORK, NY ZIP+4 ▶10107

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041** - Check here ▶ ☐
and enter the amount of tax-exempt interest received or accrued during the year ▶ 15 N/A

		Line	Yes	No
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?	16		X
	See the instructions for exceptions and filing requirements for Form TD F 90-22 1 If "Yes," enter the name of the foreign country ▶			

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.		Line	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?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☒ Yes ☐ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	☐ Yes ☒ 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)?		1b		X
	Organizations relying on a current notice regarding disaster assistance check here	▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2012?		1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))				
a	At the end of tax year 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012?	☐ Yes ☒ No			
	If "Yes," list the years ▶ ______ , ______ , ______ , ______				
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to **all** years listed, answer "No" and attach statement - see instructions)	N/A	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 ▶ ______ , ______ , ______ , ______				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ 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.)*	N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2012?		4b		X

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

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

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

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

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

(4) Provide a grant to an organization other than a charitable, etc, organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? ☐ 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)? N/A | 5b |

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? | 6b | | 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 | 7b |

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

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
SEE STATEMENT 11		18,929.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

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

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

Form **990-PF** (2012)

223551
12-05-12

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

3 Five highest-paid independent contractors for professional services. If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
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 THE FOUNDATION DID NOT ENGAGE IN DIRECT CHARITABLE ACTIVITIES DURING THE YEAR	0.
2 THE FOUNDATION MADE GRANTS, CONTRIBUTIONS AND OTHER GIFTS TO QUALIFIED ORGANIZATIONS	0.
3	
4	

Part IX-B Summary of Program-Related Investments

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

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

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes.			
a	Average monthly fair market value of securities		1a	1,444,051.
b	Average of monthly cash balances		1b	95,954.
c	Fair market value of all other assets		1c	
d	**Total** (add lines 1a, b, and c)		1d	1,540,005.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e 0.		
2	Acquisition indebtedness applicable to line 1 assets		2	0.
3	Subtract line 2 from line 1d		3	1,540,005.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)		4	23,100.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4		5	1,516,905.
6	**Minimum investment return** Enter 5% of line 5		6	75,845.

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)

1	Minimum investment return from Part X, line 6		1	75,845.
2a	Tax on investment income for 2012 from Part VI, line 5	2a 888.		
b	Income tax for 2012 (This does not include the tax from Part VI)	2b		
c	Add lines 2a and 2b		2c	888.
3	Distributable amount before adjustments Subtract line 2c from line 1		3	74,957.
4	Recoveries of amounts treated as qualifying distributions		4	0.
5	Add lines 3 and 4		5	74,957.
6	Deduction from distributable amount (see instructions)		6	0.
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1		7	74,957.

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a	Expenses, contributions, gifts, etc - total from Part I, column (d), line 26	1a	172,568.
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	172,568.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b	5	0.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	172,568.

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					74,957.
2 Undistributed income, if any, as of the end of 2012					
a Enter amount for 2011 only				0.	
b Total for prior years ______, ______, ______			0.		
3 Excess distributions carryover, if any, to 2012					
a From 2007	134,825.				
b From 2008	96,027.				
c From 2009	102,083.				
d From 2010	107,507.				
e From 2011	74,942.				
f **Total** of lines 3a through e		515,384.			
4 Qualifying distributions for 2012 from Part XII, line 4 ▶ $ 172,568.					
a Applied to 2011, but not more than line 2a				0.	
b Applied to undistributed income of prior years (Election required - see instructions)			0.		
c Treated as distributions out of corpus (Election required - see instructions)		0.			
d Applied to 2012 distributable amount					74,957.
e Remaining amount distributed out of corpus		97,611.			
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		612,995.			
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 instr				0.	
f Undistributed income for 2012 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2013					0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)		0.			
8 Excess distributions carryover from 2007 not applied on line 5 or line 7		134,825.			
9 **Excess distributions carryover to 2013.** Subtract lines 7 and 8 from line 6a		478,170.			
10 Analysis of line 9					
a Excess from 2008	96,027.				
b Excess from 2009	102,083.				
c Excess from 2010	107,507.				
d Excess from 2011	74,942.				
e Excess from 2012	97,611.				

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

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2012, enter the date of the ruling ▶

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

	Tax year	Prior 3 years			
	(a) 2012	(b) 2011	(c) 2010	(d) 2009	(e) Total
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
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 foundation had $5,000 or more in assets at any time during the year-see instructions.)

1 **Information Regarding Foundation Managers:**

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

THURMOND SMITHGALL

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

NONE

2 **Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:**

Check here ▶ ☒ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds If the foundation makes gifts, grants, etc (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number or e-mail of the person to whom applications should be addressed.

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

c Any submission deadlines

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

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SEE ATTACHED SCHEDULE				157,150.
Total			▶ 3a	157,150.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

THE LANIE AND ETHEL FOUNDATION
EIN: 13-4133103
FISCAL YEAR ENDED December 31, 2012
FORM 990-PF

PART XV

3) GRANTS & CONTRIBUTIONS PAID DURING THE YEAR OR APPROVED FOR FUTURE PAYMENT

RECIPIENT Name and address	Foundation status of Recipient	Purpose of grant or contribution	Amount $
(a) Paid during the year:			
GESELLSCHAFT DER FREUNDE VON BAYREUTH FRIENDS OF BAYREUTH SOCIETY	C	For support of the Bayreuth Festival	$60,869
CARNEGIE HALL 888 Seventh Avenue New York, New York 10019-3210	C	For support of the Music Blueprint Model School.	$10,000
FREE FOR ALL AT TOWN HALL 200 East 64^{th} Street New York, NY 10021	C	For support of a concert production.	$10,000
GEORGE LONDON FOUNDATION FOR SINGERS **460 West 49^{th} St.** New York, NY 10019	C	To fund media distribution, for radio and internet broadcasts, as well as website update and maintenance.	$16,781

RECIPIENT Name and address	Foundation status of Recipient	Purpose of grant or contribution	Amount $
GOETHE INSTITUT FRIENDS OF GOETHE / GOETHE INSTITUT 1197 Peachtree St. NE Atlanta, Georgia 30361	C	To support introduction of new distance learning program and provide training and materials	$5,000
HUDSON REVIEW **684 Park Avenue** **New York, NY 10021**	C	For the Writers in The Schools Program.	$7,500
KNEISEL HALL P.O. Box 648 137 Pleasant Street Blue Hill, ME 04614	C	For underwriting concerts in the 2011 Kneisel Hall season.	$5,500
LOS ANGELES OPERA 135 North Grand Avenue Los Angeles, CA 90012	C	For support the CD Recording of *Die Gezeichneten*, as part of "Recovered Voices" project.	$5,000
MANNES COLLEGE OF MUSIC **150 West 85th Street** **New York, NY 10024**	C	For support of Conductor's **fee for Mannes Opera productions.**	$10,000
MARTINA ARROYO FOUNDATION **PO Box 2015, Radio City Station** **New York, NY 10101**	C	For support of their **Prelude to Performance Program.**	$3,500

RECIPIENT Name and address	Foundation status of Recipient	Purpose of grant or contribution	Amount $
NEW ENGLAND CONSERVATORY 290 Huntington Ave. Boston, MA 02115	C	For support the New England Conservatory's Community Performance and Partnerships Program.	$15,000
NEW YORK FOUNDATION FOR THE ARTS (fbo Bridge Records, Inc.) 20 Jay Street, 7th Floor Brooklyn, NY 11201	C	For support the recording costs for a two-disc recording of the Los Angeles Opera Production of Franz Schreker's Opera, *Die Gezeichneten*, by Bridge Records.	$2,000
NEW YORK GRAND OPERA 250 West 54th St, Suite 1807 New York, NY 10019	C	For support of the New York Grand Opera Company and the 2012 productions of *Tosca* and *Madama Butterfly*.	$6,000
Total			**$157,150**

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income (a) Business code	(b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	(d) Amount	(e) Related or exempt function income
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	8.	
4 Dividends and interest from securities			14	17,829.	
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	49,450.	
8 Gain or (loss) from sales of assets other than inventory			18	4,026.	
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.		71,313.	0.

13 Total. Add line 12, columns (b), (d), and (e) 13 71,313.

(See worksheet in line 13 instructions to verify calculations)

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

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes)

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

			Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a	Transfers from the reporting foundation to a noncharitable exempt organization of:			
	(1) Cash	1a(1)		X
	(2) Other assets	1a(2)		X
b	Other transactions			
	(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
	(3) Rental of facilities, equipment, or other assets	1b(3)		X
	(4) Reimbursement arrangements	1b(4)		X
	(5) Loans or loan guarantees	1b(5)		X
	(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
		N/A	

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

b If "Yes," complete the following schedule

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

Sign Here

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

Signature of officer or trustee: [signature] Date: 8/12/13 Title: Trustee

May the IRS discuss this return with the preparer shown below (see instr)? ☒ Yes ☐ No

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
CAROL F. GOURLEY	Carol F Gourley CPA	07/17/13		P00140839

Firm's name ▶ JAMES D. MILLER & CO. LLP Firm's EIN ▶ 13-5612327

Firm's address ▶ 350 FIFTH AVE STE 4601 NEW YORK, NY 10118-4601 Phone no (212)268-9888

Form **990-PF** (2012)

223622 12-05-12

Schedule B
(Form 990, 990-EZ, or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ **Attach to Form 990, Form 990-EZ, or Form 990-PF.**

OMB No 1545-0047

2012

Name of the organization	**Employer identification number**
THE LANIE AND ETHEL FOUNDATION	13-4133103

Organization type (check one):

Filers of:	**Section:**
Form 990 or 990-EZ	☐ 501(c)( ) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☒ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.**
Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, $5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi) and received from any one contributor, during the year, a contribution of the greater of **(1)** $5,000 or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h, or (ii) Form 990-EZ, line 1. Complete Parts I and II.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than $1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not total to more than $1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of $5,000 or more during the year ▶ $ ____________

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990; or check the box on line H of its Form 990-EZ or on Part I, line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization	Employer identification number
THE LANIE AND ETHEL FOUNDATION	13-4133103

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1	THURMOND J. SMITHGALL 101 WEST 97TH STREET, APT 25C NEW YORK, NY 10024	$ 60,869.	Person [X] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)
		$	Person [ ] Payroll [ ] Noncash [ ] (Complete Part II if there is a noncash contribution.)

Name of organization: THE LANIE AND ETHEL FOUNDATION

Employer identification number: 13-4133103

Part II Noncash Property (see instructions). Use duplicate copies of Part II if additional space is needed.

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
		$	

Name of organization

THE LANIE AND ETHEL FOUNDATION

Employer identification number

13-4133103

Part III ***Exclusively*** **religious, charitable, etc., individual contributions to section 501(c)(7), (8), or (10) organizations that total more than $1,000 for the year.** Complete columns **(a)** through **(e)** and the following line entry. For organizations completing Part III, enter the total of *exclusively* religious, charitable, etc , contributions of **$1,000 or less** for the year (Enter this information once) ▶ $________

Use duplicate copies of Part III if additional space is needed.

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

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	679 SHS ISHARES RUSSELL 2000 INDEX FUND	D	07/30/09	01/05/12
b	74 SHS ISHARES RUSSELL 2000 INDEX FUND	D	07/30/09	02/03/12
c	1,583.281 SHS JPM ACCESS GROWTH FD	P	05/18/11	02/03/12
d	9,212.198 SHS JPM ACCESS GROWTH FD	P	05/18/11	04/24/12
e	FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	P	VARIOUS	
f	FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	P	VARIOUS	
g				
h				
i				
j				
k				
l				
m				
n				
o				

	(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	50,008.		37,758.	12,250.
b	6,120.		4,115.	2,005.
c	25,000.		27,201.	<2,201.>
d	145,000.		158,266.	<13,266.>
e				718.
f				10,067.
g				
h				
i				
j				
k				
l				
m				
n				
o				

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Losses (from col (h)) Gains (excess of col (h) gain over col (k), but not less than "-0-")
	(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				12,250.
b				2,005.
c				<2,201.>
d				<13,266.>
e				718.
f				10,067.
g				
h				
i				
j				
k				
l				
m				
n				
o				

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	9,573.
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) If (loss), enter "-0-" in Part I, line 8	3	N/A

223591
05-01-12

FORM 990-PF GAIN OR (LOSS) FROM SALE OF ASSETS STATEMENT 1

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
679 SHS ISHARES RUSSELL 2000 INDEX FUND	DONATED	07/30/09	01/05/12

(B) GROSS SALES PRICE	(C) VALUE AT TIME OF ACQ.	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
50,008.	42,760.	0.	0.	7,248.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
74 SHS ISHARES RUSSELL 2000 INDEX FUND	DONATED	07/30/09	02/03/12

(B) GROSS SALES PRICE	(C) VALUE AT TIME OF ACQ.	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
6,120.	4,660.	0.	0.	1,460.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
1,583.281 SHS JPM ACCESS GROWTH FD	PURCHASED	05/18/11	02/03/12

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
25,000.	27,201.	0.	0.	<2,201.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
9,212.198 SHS JPM ACCESS GROWTH FD	PURCHASED	05/18/11	04/24/12

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
145,000.	158,266.	0.	0.	<13,266.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	PURCHASED	VARIOUS	

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	0.	0.	0.	718.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	PURCHASED	VARIOUS	

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
0.	0.	0.	0.	10,067.

CAPITAL GAINS DIVIDENDS FROM PART IV	0.
TOTAL TO FORM 990-PF, PART I, LINE 6A	4,026.

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 2

SOURCE	AMOUNT
JPMORGAN	8.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	8.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 3

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC K-1	16,752.	0.	16,752.
JPMORGAN - DIVIDENDS	1,077.	0.	1,077.
TOTAL TO FM 990-PF, PART I, LN 4	17,829.	0.	17,829.

FORM 990-PF OTHER INCOME STATEMENT 4

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
ORDINARY INCOME VIA K-1 FROM JPMORGAN GLOBAL ACCESS PORTFOLIOS LLC	49,450.	49,450.	
TOTAL TO FORM 990-PF, PART I, LINE 11	49,450.	49,450.	

FORM 990-PF ACCOUNTING FEES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING AND TAX PREP FEES	7,862.	3,931.		3,931.
TO FORM 990-PF, PG 1, LN 16B	7,862.	3,931.		3,931.

FORM 990-PF TAXES STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
EXCISE TAXES	3,182.	0.		0.
FOREIGN TAXES	387.	387.		0.
TO FORM 990-PF, PG 1, LN 18	3,569.	387.		0.

FORM 990-PF OTHER EXPENSES STATEMENT 7

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FILING FEES	250.	125.		125.
PENALTIES	4.	0.		0.
MISCELLANEOUS	257.	129.		128.
PORTFOLIO DEDUCTIONS (FROM K-1)	16,374.	16,374.		0.
TO FORM 990-PF, PG 1, LN 23	16,885.	16,628.		253.

FORM 990-PF OTHER INCREASES IN NET ASSETS OR FUND BALANCES STATEMENT 8

DESCRIPTION	AMOUNT
UNREALIZED GAIN	98,372.
ROUNDING	2.
TOTAL TO FORM 990-PF, PART III, LINE 3	98,374.

FORM 990-PF CORPORATE STOCK STATEMENT 9

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
ISHARES RUSSELL 2000 INDEX FUND	0.	0.
TOTAL TO FORM 990-PF, PART II, LINE 10B	0.	0.

FORM 990-PF OTHER INVESTMENTS STATEMENT 10

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
JPM GLOBAL ACCESS PORTFOLIOS, LLC	FMV	1,329,925.	1,329,925.
JPMORGAN ACCESS GROWTH FUND	FMV	125,200.	125,200.
TOTAL TO FORM 990-PF, PART II, LINE 13		1,455,125.	1,455,125.

FORM 990-PF PART VIII - LIST OF OFFICERS, DIRECTORS TRUSTEES AND FOUNDATION MANAGERS STATEMENT 11

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN-SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
THURMOND SMITHGALL 250 W 57TH STREET STE 1928 NEW YORK, NY 10107	TRUSTEE 1.00	0.	0.	0.
JOHN ROBERTS 250 W 57TH STREET STE 1928 NEW YORK, NY 10107	TRUSTEE 2.50	18,929.	0.	0.
ALFRED F. HUBAY 250 W 57TH STREET STE 1928 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
KATHERINE GILL 250 W 57TH STREET STE 1928 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
DANIEL TUCKER 250 W 57TH STREET STE 1928 NEW YORK, NY 10107	TRUSTEE 0.25	0.	0.	0.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		18,929.	0.	0.

GESELLSCHAFT DER FREUNDE VON BAYREUTH e.V.

Gesellschaft der Freunde von Bayreuth • Festspielhügel 6 • 95445 Bayreuth

The Lanie & Ethel Foundation
Att. Mr. John B. Roberts
250 West 57th St, Suite 1928
New York, NY 10107
USA

June 19th, 2013

Statement of assets and liabilities 2012

Dear Mr. Roberts,

Please find enclosed for your records for Lanie & Ethel Foundation our financial statement 2012, summary report detailing how the funds disbursed in 2012 as well as our original German report and for your information our annual report "Jahresbericht 2012" and "Post aus Bayreuth" 2013.

For further questions, please do not hesitate contacting me.

With best regards

Ina Besser-Eichler

(Ina Besser-Eichler)
management

GESELLSCHAFT DER FREUNDE VON BAYREUTH E.V.
Festspielhügel 6 • 95445 Bayreuth & Postfach 10 04 18 • 95404 Bayreuth • Allemagne (Germany)
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AMTSGERICHT BAYREUTH VR 250 • STEUER NR 208/108/80010
COMMERZBANK BAYREUTH • KONTO NR 151 002 401 • BLZ 773 400 76 • IBAN DE72773400760151002401 • BIC COBADEFF
POSTBANK NÜRNBERG • KONTO NR 5 157 659 • BLZ 760 100 85 • IBAN DE96760100850005157659 • BIC PBNKDEFF
HAUCK & AUFHÄUSER • KONTO NR 7 252 505 • BLZ 502 209 00 • IBAN DE16502209000007252505 • BIC HAUKDEFF

Gesellschaft der Freunde von Bayreuth e. V. Bayreuth

Statement of assets and liabilities on December 31th, 2012

Assets

	December 31, 2012 EUR	EUR	December 31, 2011 EUR	EUR
A. Fixed Assets				
I. intangible assets		14.774,84		19.033,54
II. tangible assets		8.137,39		4.458,80
III Financial assets interests in affiliated companies		25.000,00		25.000,00
		47.912,23		48.492,34
B. circulating Assets				
I. Stocks ticket assets	2.361.262,46		2.553.080,00	
II. other assets	13.205,15		1.803,88	
III. Cash on hand and bank balances	7.980.021,61	10.354.489,22	9.802.161,65	12.357.045,53
		10.354.489,22		12.357.045,53
		10.402.401,45		12.405.537,87

Passiva

	December 31, 2012 EUR	EUR	EUR	December 31, 2011 EUR
A. Net assets				
I club funds				
1. balance carried foward	8.588.081,56		7.795.763,34	
2. profit/loss carried forward	-467.059,43	8.121.022,13	792.318,22	8.588.081,56
		8.121.022,13		8.588.081,56
B. Revenue reserve				
Reserve as per § 58 n° AO		270.700,00		270 700,00
		270.700,00		270.700,00
		8.391.722,13		
C. Liabilities				
1. accounts payable trade	15.086,12		27.797,14	
2. other liabilities	1.995.593,20	2.010.679,32	3.518.959,17	3.546.756,31
		2.010.679,32		3.546.756,31

Revenue and expense statement
for the period from January, 1st until December 31st, 2012

	2012 EUR	EUR	2011 EUR	EUR
1. Revenues				
1a. non-profit	2.899.366,21		3.289 121,02	
1b. ticket sale	38.534,04	2.937.900,25	2.521,42	3.291.642,44
2. Personal expenses				
a) wages and salaries	-178.390,75		-172.311,41	
b) social expenses	-39.363,81	-217.754,56	-39.945,35	-212.256,76
3. write off				
a) on intangible assets of invested capital and tangible assets				
b) on current assets		-5.076,43		-1.252,47
4. statury expenses		-2.976.899,06		-2.049.927,26
5. other operating expenses		-268.212,63		-301.850,40
6. other interest and similar revenue		62.983,00		98.032,67
7. annual profit		-467.059,43		824.388,22
8. allocation to revenue reserve		0,00		-32.070,00
9.transfer from reserve		467.059,43		0,00
10. retained profits		0,00		792.318,22

Auditor's Certificate

Munich, April 5th, 2013

Gesellschaft der Freunde von Bayreuth e.V., Bayreuth

Vermögensübersicht zum 31. Dezember 2012

Aktiva

	31.12.2012 EUR	31.12.2012 EUR	31.12.2011 EUR	31.12.2011 EUR
A. Anlagevermögen				
I. Immaterielle Vermögensgegenstände		14.774,84		19 033,54
II. Sachanlagen		8.137,39		4.458,80
III. Finanzanlagen				
Anteile an verbundenen Unternehmen		25.000 00		25.000,00
		47.912,23		48 492,34
B. Umlaufvermögen				
I. Vorräte				
Kartenbestand	2.361.282,48		2.553 080,00	
II. sonstige Vermögensgegenstände	13.205,15		1.803,88	
III. Kassenbestand und Guthaben bei Kreditinstituten	7.980 021,81	10.354.489,22	9.802.161,65	12.357.045,53
		10.354.489,22		12.357.045,53
		10.402.401,45		12.405.537,87

Passiva

	31.12.2012 EUR	31.12.2012 EUR	31.12.2011 EUR	31.12.2011 EUR
A. Eigenkapital				
I. Vereinsvermögen				
1 Vortrag	8.588.081,56		7.795.763,34	
2. Ergebnisvortrag	-487 059,43	8.121.022,13	792.318,22	8.588.081,56
		8.121 022,13		8.588.081,56
B. Gewinnrücklage				
Rücklage gem. § 58 Nr. 7a AO		270.700,00		270 700 00
		270.700 00		270.700 00
C. Verbindlichkeiten				
I Verbindlichkeiten aus Lieferungen und Leistungen	15 086,12		27.797,14	
II Sonstige Verbindlichkeiten	1.995.593,20	2.010.679,32	3.518.959,17	3.548 756,31
		2.010.679,32		3.548.756,31
		10.402.401,45		12.405.537,87

"Bescheinigung des Abschlussprüfers

Wir haben die Jahresrechnung – bestehend aus Vermögensübersicht und Einnahmen- und Ausgabenrechnung - unter Einbeziehung der Buchführung der Gesellschaft der Freunde von Bayreuth e.V. für das Geschäftsjahr vom 1. Januar bis 31. Dezember 2012 geprüft. Die Buchführung und die Aufstellung der Jahresrechnung nach den gesetzlichen Vorschriften und ihre Auslegung durch die IDW Stellungnahme zur Rechnungslegung' Rechnungslegung von Vereinen (IDW RS HFA 14) liegen in der Verantwortung der gesetzlichen Vertreter des Vereins Unsere Aufgabe ist es, auf der Grundlage der von uns durchgeführten Prüfung eine Beurteilung über die Jahresrechnung unter Zugrundelegung der Buchführung abzugeben

Wir haben unsere Prüfung unter Beachtung des IDW Prüfungsstandards Prüfung von Vereinen (IDW PS 750) vorgenommen. Danach ist die Prüfung so zu planen und durchzuführen, dass Unrichtigkeiten und Verstöße, die sich auf die Darstellung der Jahresrechnung wesentlich auswirken, mit hinreichender Sicherheit erkannt werden. Bei der Festlegung der Prüfungshandlungen werden die Kenntnisse über die Tätigkeit und über das wirtschaftliche und rechtliche Umfeld des Vereins sowie die Erwartungen über mögliche Fehler berücksichtigt. Im Rahmen der Prüfung werden die Wirksamkeit des rechnungslegungsbezogenen internen Kontrollsystems sowie Nachweise für die Angaben in Buchführung und Jahresrechnung überwiegend auf der Basis von Stichproben beurteilt. Die Prüfung umfasst die Beurteilung der angewandten Grundsätze zur Rechnungslegung und der wesentlichen Einschätzungen der gesetzlichen Vertreter.
Wir sind der Auffassung, dass unsere Prüfung eine hinreichend sichere Grundlage für unsere Beurteilung bildet Nach unserer Beurteilung aufgrund der bei der Prüfung gewonnenen Erkenntnisse entspricht die Jahresrechnung den gesetzlichen Vorschriften und ihrer Auslegung durch den IDW RS HFA 14.

München, 5. April 2013

Ott&Partner
Wirtschaftsprüfungsgesellschaft
Steuerberatungsgesellschaft

Andreas Richlich, Wirtschaftsprüfer   Christian Klose, Wirtschaftsprüfer

Einnahmen- und Ausgabenrechnung für die Zeit vom 1. Januar bis 31. Dezember 2012

	2012 EUR	2012 EUR	2011 EUR	2011 EUR
1 Einnahmen				
1a. Ideeler Bereich	2.899 366,21		3.289.121,02	
1b. Bereich Kartenverkauf	38.534,04	2.937.900,25	2.521,42	3.291.642,44
2. Personalaufwand				
a) Löhne und Gehälter	-178.390,75		-172.311,41	
b) Soziale Abgaben	-39.363,81	-217 754,56	-39 945,35	-212.256,76
3. Abschreibungen auf immaterielle Vermögensgegenstände des Anlagevermögens und Sachanlagen		-5 076,43		-1.252,47
4 satzungsgemäße Aufwendungen		-2.976.899,06		-2.049.927,26
5. sonstige betriebliche Aufwendungen		-268.212,63		-301.650,40
6 sonstige Zinsen und ähnliche Erträge		62.983,00		98.032,87
7. Jahresüberschuss		-467.059,43		824.388,22
8. Einstellung in die Gewinnrücklagen		0,00		-32.070,00
9. Entnahme aus dem Vortrag		467.059,43		0,00
10. Ergebnisvortrag		0,00		792.318,22

Bayreuth, den 5 April 2013

Der Vorstand

Dr. Georg Frhr. von Waldenfels   Prof. Dr. h.c. Stephan Götzl   Dr. Wolfgang Wagner

Form **8868** (Rev January 2013) Department of the Treasury Internal Revenue Service

Application for Extension of Time To File an Exempt Organization Return

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

OMB No. 1545-1709

- If you are filing for an **Automatic 3-Month Extension, complete only Part I** and check this box ▶ [X]
- 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* 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.

Type or print	Name of exempt organization or other filer, see instructions. THE LANIE AND ETHEL FOUNDATION	Employer identification number (EIN) or 13-4133103
File by the due date for filing your return See instructions	Number, street, and room or suite no. If a P.O. box, see instructions. 250 W 57TH STREET, NO. 1928	Social security number (SSN)
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. NEW YORK, NY 10107-0011	

Enter the Return code for the return that this application is for (file a separate application for each return) 0 4

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 (sec. 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 ▶ THE LANIE & ETHEL FOUNDATION 250 W 57TH STREET, STE 1928 - NEW YORK, NY 10107
  Telephone No. ▶ 212-696-4052 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 AUGUST 15, 2013, to file the exempt organization return for the organization named above. The extension is for the organization's return for:
▶ [X] calendar year 2012 or
▶ [ ] tax year beginning ______, and ending ______.

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

3a	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.	3a	$ 888.
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.	3b	$ 1,820.
c	**Balance due.** Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	3c	$ 0.

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

LHA **For Privacy Act and Paperwork Reduction Act Notice, see instructions.** Form **8868** (Rev. 1-2013)

223841 01-21-13