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

2012

Open to Public Inspection

For calendar year 2012 or tax year beginning MAY 1, 2012, and ending APRIL 30, 2013

Name of foundation

D'AGOSTINO FOUNDATION

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

2239 SW BROOKHAVEN WAY

City or town, state, and ZIP code

PALM CITY, FL 34990-5751

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

H Check type of organization: Section 501(c)(3) exempt private foundation Section 4947(a)(1) nonexempt charitable trust Other taxable private foundationI Fair market value of all assets at J Accounting method: Cash Accrual
end of year (from Part II, col. (c),
line 16) ► \$ 2,703,992 (Part I, column (d) must be on cash basis.)

A Employer identification number

11-3437294

B Telephone number (see instructions)

(772) 221-8861C If exemption application is pending, check here ► D 1. Foreign organizations, check here ► 2. Foreign organizations meeting the 85% test,
check here and attach computation ► E If private foundation status was terminated under
section 507(b)(1)(A), check here ► F If the foundation is in a 60-month termination
under section 507(b)(1)(B), check here ► 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)
1	Contributions, gifts, grants, etc., received (attach schedule)				
2	Check ► <input type="checkbox"/> if the foundation is not required to attach Sch. B				
3	Interest on savings and temporary cash investments				
4	Dividends and interest from securities				
5a	Gross rents	<u>OGDEN, UT</u>	<u>61 661</u>	<u>61 661</u>	<u>61 661</u>
b	Net rental income or (loss)				
6a	Net gain or (loss) from sale of assets not on line 10	<u>6 450</u>			
b	Gross sales price for all assets on line 6a <u>366,645</u>				
7	Capital gain net income (from Part IV, line 2)		<u>0</u>	<u>0</u>	
8	Net short-term capital gain				
9	Income modifications				
10a	Gross sales less returns and allowances				
b	Less: Cost of goods sold				
c	Gross profit or (loss) (attach schedule)				
11	Other income (attach schedule)		<u>11</u>	<u>11</u>	<u>11</u>
12	Total. Add lines 1 through 11	<u>68 122</u>	<u>61 672</u>	<u>61 672</u>	
13	Compensation of officers, directors, trustees, etc.	<u>30 000</u>	<u>0</u>	<u>0</u>	<u>0</u>
14	Other employee salaries and wages				
15	Pension plans, employee benefits				
16a	Legal fees (attach schedule)				
b	Accounting fees (attach schedule)				
c	Other professional fees (attach schedule)				
17	Interest	<u>25 141</u>	<u>25 141</u>	<u>0</u>	<u>0</u>
18	Taxes (attach schedule) (see instructions)	<u>100</u>	<u>0</u>	<u>0</u>	<u>0</u>
19	Depreciation (attach schedule) and depletion	<u>2859</u>	<u>0</u>	<u>0</u>	<u>0</u>
20	Occupancy				
21	Travel, conferences, and meetings				
22	Printing and publications				
23	Other expenses (attach schedule)				
24	Total operating and administrative expenses.	<u>1 047</u>			
	Add lines 13 through 23	<u>59 147</u>	<u>25 141</u>	<u>0</u>	<u>0</u>
25	Contributions, gifts, grants paid	<u>123 000</u>			
26	Total expenses and disbursements. Add lines 24 and 25	<u>182 147</u>	<u>25 141</u>	<u>0</u>	<u>123 000</u>
27	Subtract line 26 from line 12:				
a	Excess of revenue over expenses and disbursements	<u>(114 025)</u>			
b	Net investment income (if negative, enter -0-)		<u>36 531</u>		
c	Adjusted net income (if negative, enter -0-)			<u>61 672</u>	

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Operating and Administrative Expenses

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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	4 389	3 002	3 002
	2	Savings and temporary cash investments			
	3	Accounts receivable ►			
		Less: allowance for doubtful accounts ►			
	4	Pledges receivable ►			
		Less: allowance for doubtful accounts ►			
	5	Grants receivable			
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)			
	7	Other notes and loans receivable (attach schedule) ►			
		Less: allowance for doubtful accounts ►			
	8	Inventories for sale or use			
	9	Prepaid expenses and deferred charges			
	10a	Investments—U.S. and state government obligations (attach schedule)	191 987	191 987	202 251
	b	Investments—corporate stock (attach schedule)	1 651 143	1 547 011	2 238 040
	c	Investments—corporate bonds (attach schedule)	289 745	250 975	260 614
	11	Investments—land, buildings, and equipment: basis ►			
		Less: accumulated depreciation (attach schedule) ►			
	12	Investments—mortgage loans			
	13	Investments—other (attach schedule)			
	14	Land, buildings, and equipment: basis ►			
		Less: accumulated depreciation (attach schedule) ►			
	15	Other assets (describe ► <u>ACCRUED INTEREST PAID</u>)		85	85
	16	Total assets (to be completed by all filers—see the instructions. Also, see page 1, item I)	2 137 264	1 993 060	2 703 992
Liabilities	17	Accounts payable and accrued expenses	30 178	0	
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ►)			
	23	Total liabilities (add lines 17 through 22)	30 178	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ► <input type="checkbox"/> and complete lines 24 through 26 and lines 30 and 31.				
	24	Unrestricted			
	25	Temporarily restricted			
	26	Permanently restricted			
	Foundations that do not follow SFAS 117, check here ► <input type="checkbox"/> and complete lines 27 through 31.				
	27	Capital stock, trust principal, or current funds	2 107 086	1 993 060	
	28	Paid-in or capital surplus, or land, bldg., and equipment fund	0	0	
	29	Retained earnings, accumulated income, endowment, or other funds	0	0	
	30	Total net assets or fund balances (see instructions)	2 107 086	1 993 060	
	31	Total liabilities and net assets/fund balances (see instructions)	2 137 264	1 993 060	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	2 107 085
2	Enter amount from Part I, line 27a	2	(114 025)
3	Other increases not included in line 2 (itemize) ►	3	0
4	Add lines 1, 2, and 3	4	1 993 060
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	1 993 060

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 brck 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	SCHEDULE ATTACHED	D, P		
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 366,645		360,196	6449	
b				
c				
d				
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				
(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	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))	
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	6449
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 (col. (b) divided by col. (c))
2011	120 000	2373 146	.0505 658
2010	119 500	2378 067	.0502 509
2009	112 500	2214 370	.0494 643
2008	52 000	1051 112	.0494 1714
2007	20 000	308 141	.0649 054
2 Total of line 1, column (d)			2,646 578
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			.529 316
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5			2504 698
5 Multiply line 4 by line 3			132 578
6 Enter 1% of net investment income (1% of Part I, line 27b)			365
7 Add lines 5 and 6			132 943
8 Enter qualifying distributions from Part XII, line 4			123 000
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)

1 731

b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► and enter 1% of Part I, line 27b

2 0

c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).

3 731

4 0

5 731

5 **Tax based on investment income.** Subtract line 4 from line 3. If zero or less, enter -0-

6 Credits/Payments:

a 2012 estimated tax payments and 2011 overpayment credited to 2012	6a	
b Exempt foreign organizations—tax withheld at source	6b	
c Tax paid with application for extension of time to file (Form 8868)	6c	
d Backup withholding erroneously withheld	6d	

7 Total credits and payments. Add lines 6a through 6d

7 0

8 Enter any **penalty** for underpayment of estimated tax. Check here if Form 2220 is attached

8 0

9 **Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ►

9 731

10 **Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ►

10 Refunded

11 Enter the amount of line 10 to be: **Credited to 2013 estimated tax** ►

11 Refunded

Part VII-A Statements Regarding Activities

1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?

1a Yes No
1a X

b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see Instructions for the definition)?

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.

1b X

c Did the foundation file **Form 1120-POL** for this year?

d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year:
(1) On the foundation. ► \$ _____ (2) On foundation managers. ► \$ _____

1c X

e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ► \$ _____

2 Has the foundation engaged in any activities that have not previously been reported to the IRS?
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?

4b N/A

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) ►

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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)

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	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ►	13	<input checked="" type="checkbox"/>
14	The books are in care of ► ERNEST SCHAL Located at ► 2239 SW BROOKHAVEN WAY, PALM CITY, FL	Telephone no. ► (712) 221-8861 ZIP+4 ► 34990-5751	
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	<input type="checkbox"/>
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 ►	16	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Part VII-B Statements Regarding Activities for Which Form 4720 May Be RequiredFile **Form 4720** if any item is checked in the "Yes" column, unless an exception applies.

1a	During the year did the foundation (either directly or indirectly):	Yes	No
(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 checked="" type="checkbox"/> Yes	<input 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 ► <input checked="" type="checkbox"/>	1b	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
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 XII) for tax year(s) beginning before 2012? If "Yes," list the years ► 20 , 20 , 20 , 20 b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see instructions.) c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ► 20 , 20 , 20 , 20	2b	<input checked="" type="checkbox"/> N/A
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	3b	<input type="checkbox"/> Yes <input 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.)	4a	<input checked="" type="checkbox"/> N/A
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4b	<input checked="" type="checkbox"/>
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?		

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

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

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? Yes No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? Yes No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? Yes No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions) Yes No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? Yes No

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

Organizations relying on a current notice regarding disaster assistance check here ►

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

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

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? If "Yes" to 6b, file Form 8870. Yes No

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? Yes No

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? Yes No

5b	N/A
6b	X
7b	N/A

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
ERNEST SCHAA PALM CITY, FL	PRESIDENT	0	0	0
ANITA SCHAA PALM CITY, FL	VICE PRES SECRETARY	30,000	0	0
MELVIN SCHREIBER LAKE SUCCESS, NY	TREASURER	0	0	0

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

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

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

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

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

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		

Total number of others receiving over \$50,000 for professional services

Part IX-A Summary of Direct Charitable Activities

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

organizations and other beneficiaries served, conferences convened, research papers produced, etc	
1	N/A
2	
3	
4	

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

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.

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		
3		
All other program-related investments. See instructions		
Total. Add lines 1 through 3		

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	2488 664	
b	Average of monthly cash balances	1b	54 237	
c	Fair market value of all other assets (see instructions)	1c	0	
d	Total (add lines 1a, b, and c)	1d	2542 841	
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	2542 841	
4	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see instructions)	4	38 143	
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	2504 698	
6	Minimum investment return. Enter 5% of line 5	6	125 235	

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	125 235	
2a	Tax on investment income for 2012 from Part VI, line 5	2a	731	
b	Income tax for 2012. (This does not include the tax from Part VI.)	2b	0	
c	Add lines 2a and 2b	2c	731	
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	124 504	
4	Recoveries of amounts treated as qualifying distributions	4	0	
5	Add lines 3 and 4	5	124 504	
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	124 504	

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	123 000	
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	0	
3	Amounts set aside for specific charitable projects that satisfy the:			
a	Suitability test (prior IRS approval required)	3a	0	
b	Cash distribution test (attach the required schedule)	3b	0	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	123 000	
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	5	0	
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	123 000	

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				124504
2 Undistributed income, if any, as of the end of 2012:				
a Enter amount for 2011 only			0	
b Total for prior years: 20 ____,20 ____,20 ____		0		
3 Excess distributions carryover, if any, to 2012:				
a From 2007	6			
b From 2008	0			
c From 2009	0			
d From 2010	0			
e From 2011	1737			
f Total of lines 3a through e	1737			
4 Qualifying distributions for 2012 from Part XII, line 4: ► \$ <u>123,000</u>			0	
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				122767
e Remaining amount distributed out of corpus	233			
5 Excess distributions carryover applied to 2012 (If an amount appears in column (d), the same amount must be shown in column (a).)	1737			1737
6 Enter the net total of each column as indicated below:	233		0	
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5				
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			0	0
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0			
8 Excess distributions carryover from 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	233			
10 Analysis of line 9:				
a Excess from 2008	0			
b Excess from 2009	0			
c Excess from 2010	0			
d Excess from 2011	0			
e Excess from 2012	233			

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

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).)

IDA D'AGOSTINO, DEC'D: ESTATE OF IDA D'AGOSTINO

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	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				<u>123,060</u>
	<u>SCHEDULE ATTACHED</u>			
Total				► 3a <u>123,060</u>
b Approved for future payment				
Total				► 3b <u>0</u>

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) Exclusion code	(d) Amount	
1 Program service revenue:						
a						
b						
c						
d						
e						
f						
g Fees and contracts from government agencies						
2 Membership dues and assessments						
3 Interest on savings and temporary cash investments						
4 Dividends and interest from securities						
5 Net rental income or (loss) from real estate:						
a Debt-financed property						
b Not debt-financed property						
6 Net rental income or (loss) from personal property						
7 Other investment income						
8 Gain or (loss) from sales of assets other than inventory						
9 Net income or (loss) from special events						
10 Gross profit or (loss) from sales of inventory						
11 Other revenue: a						
b RECOVERY ON SETTLEMENTS						
c						
d						
e						
12 Subtotal. Add columns (b), (d), and (e)						68122
13 Total. Add line 12, columns (b), (d), and (e)						68,122

(See worksheet in line 13 instructions to verify calculations.)

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

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	

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.

**Sign
Here**

► ~~First School~~

9/13/13
Date

Date / Title

Title

Title

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

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ►		Firm's EIN ►		
	Firm's address ►		Phone no.		

**Sales by Security: 3
5/1/2012 through 4/30/2013**

5/1/2012 through 4/30/2013

Dane 1

Common Stock		Preferred Stock		Options	
6/6/2012	SMITH BA... Sold	BOEING CO.		_RzdGain	68,544 -100,000
				_RzdGain	168,986 -50,000
		CF INDUSTRIES HOLDING...	_RzdGain	_RzdGain	3,412 -1,000,000
		CINCINNATI BELL INC.	_RzdGain	_RzdGain	24,122 -200,000
		EMC CORP-MASS	_RzdGain	_RzdGain	79,461 -100,000
		EXXON MOBIL CORP.	_RzdGain	_RzdGain	50,242 -100,000
		HOME DEPOT INC.	_RzdGain	_RzdGain	16,490 -1,700,000
		INTEL CORP.	_RzdGain	_RzdGain	11,152 -300,000
		MGM MIRAGE	_RzdGain	_RzdGain	118,357 -100,000
		CISCO SYS INC.	_RzdGain	_RzdGain	33,102 -300,000
		REGENERON PHARMACEU...	_RzdGain	_RzdGain	84,560 -100,000
		HASBRO INC.	_RzdGain	_RzdGain	11,970 -1,500,000
		DANA HOLDING CORP.	_RzdGain	_RzdGain	27,642 -1,200,000
		EXXON MOBIL CORP.	_RzdGain	_RzdGain	24,275 -800,000
		ACTIVISION BLIZZARD INC.	_RzdGain	_RzdGain	5,389 -900,000
		REPUBLIC SVCS INC.	_RzdGain	_RzdGain	24,006,12 -24,008,12
		CINCINNATI BELL INC.	_RzdGain	_RzdGain	2,105,25 0,00
		WEATHERFORD INTERNAT...	_RzdGain	_RzdGain	42,697,86 -42,697,86
		RzdGain			-18,537,16 0,00

D'AGOSTINO FOUNDATION

11-3437294

FYE 4/30/13

Period 37
Period 38
Period 39

PART 1

LINE 11 - OTHER INCOME

RECOVERY ON SETTLEMENT

11

LINE 16C - PROFESSIONAL FEES

PINNACLE ASSOCIATES LTD.

25141

LINE 18 - TAXES

FICA AND MEDICARE TAXES

2295

EXCISE TAX

564

2859

LINE 23 - OTHER EXPENSES

CT CORPORATION - REPRESENTATIVE FEE

365

CT CORPORATION - ANNUAL REPORT

77

ALM - ADVERTISEMENT FEE

130

ADR, CUSTODY FEES & OTHER EXPENSES

475

1047

PART XV SUPPLEMENTARY INFORMATION

3 Contributions Paid During the Year

<u>Recipient - Name and Address</u>	<u>Purpose of Contribution</u>	<u>Amount</u>
Church of St. Patrick Brooklyn, NY	Life & faith of community	\$ 2,500
The Visitation Monastery Brooklyn, NY	Support monastery	2,000
Mary Queen of Heaven R.C. Church Brooklyn, NY	Support R.C. Church	1,000
St. Bernard Church Brooklyn, NY	Support R.C. Church	1,000
Sisters of Life Suffern, NY	Build culture of life	3,000
Little Sisters of the Poor Queens Village, NY	Support ministry - elderly	1,000
Memorial Sloan Kettering New York, NY	Support the Patient Free Care Fund	4,000
St. Jude's Children Research Hospital Memphis, TN	Pediatric childhood cancer research	10,000
Martin Health Foundation Stuart, FL	Senior care and gerontology education	20,000
Martin Health Foundation Stuart, FL	Develop da Vinci robotic surgery equipment	10,000
The ALS Association Florida Charter Tampa, FL	Support ALS patient care and comfort	5,000
National Multiple Sclerosis Fort Lauderdale, FL	Support MS patient care and comfort	5,000
Cystic Fibrosis Foundation West Palm Beach, FL	Support CF patient care and treatment	5,000
American Cancer Society New York, NY	Finding a cure for breast cancer	2,000
Center for Development Disabilities Woodbury, NY	Support programs - disabilities	4,000

Martin Memorial Foundation Stuart, FL	Support Mother/Baby Visit Program	5,000
Martin Memorial Foundation Stuart, FL	Support Capen Fund for Kids	5,000
Molly's House Stuart, FL	Provides housing for families of hospital patients	2,500
Caring Children Clothing Children Stuart, FL	Provides needy school-age children with clothing and literacy skills	3,000
House of Hope Jensen Beach, FL	Provides food, clothing and financial assistance	3,000
ARC of Martin County Stuart, FL	Support mission - developmental disabilities	4,000
Packer Collegiate Institute New York, NY	Support student education	2,000
J.V.L. Wildcat Academy School New York, NY	Education for struggling students	2,000
Tuesday's Children Manhasset, NY	Support programs for families directly impacted by events of 9/11/2001	4,000
A Tail to Tell, Inc. Mount Gretna, PA	Mission in rescuing dogs and placing them with responsible families	4,000
For Our Friends, Inc. Briarwood, NY	Rescue group for dogs/puppies in need of help	4,000
Guiding Eyes for the Blind, Inc. Yorktown Heights, NY	Dogs guiding eyes - blind travel safely	5,000
Muttville San Francisco, CA	Rescuing senior dogs, placing them with responsible families	3,000
TOTAL		\$ 123,000

Portfolio Value - As of 4/30/2013:2

As of 4/30/2013

9/13/2013

Page 1

Security	Shares	Quote/Price	est	Cost Basis	Gain/Loss	Balance
(No Type)				15,413.82	0.00	15,413.82
-Cash-				15,413.82	0.00	15,413.82
-Cash-				15,413.82	0.00	15,413.82
TOTAL (No Type)			<u>OUTSTANDING CHECKS</u>	<u>15,413.82</u>	<u>0.00</u>	<u>15,413.82</u>
				<u>(15,413.82)</u>		<u>0.00</u>
Common Stocks						
AMC NETWORKS INC-A	375,000	63.010		9,583.85	14,044.90	23,628.75
AMGEN INC.	500,000	104.210		26,418.22	25,686.78	52,105.00
AT & T INC.	1,000,000	37.460		35,605.29	1,854.71	37,460.00
BOEING CO.	600,000	91.410		33,279.82	21,566.18	54,846.00
CABELVISIONS SYSTEMS ...	1,500,000	14.860		25,345.22	-3,055.22	22,290.00
CAMECO CORP.	1,200,000	19.510		53,974.00	-30,562.00	23,412.00
CENTURYLINK INC.	800,000	37.570		26,882.64	3,173.36	30,056.00
CF INDUSTRIES HOLDINGS...	250,000	186.510		12,709.52	33,917.98	46,627.50
CITIGROUP INC.	1,100,000	46.660		30,908.90	20,417.10	51,326.00
COCA-COLA CO.	900,000	42.330		19,762.67	18,334.33	38,097.00
COMCAST CORP. CL A-SPL	2,000,000	39.290		43,298.50	35,281.50	78,580.00
COMPAGIE GENERALE DE ...	560,000	21.350		28,073.91	-16,117.91	11,956.00
CORNING INC.	1,800,000	14.500		24,115.32	1,984.68	26,100.00
CVS CAREMARK CORP.	1,000,000	58.180		31,569.30	26,610.70	58,180.00
DANA HOLDING CORP.	2,000,000	17.250		25,683.00	8,817.00	34,500.00
DR. PEPPER SNAPPLE GR...	1,100,000	48.830		21,126.90	32,586.10	53,713.00
EATON CORP.	900,000	61.410		33,954.84	21,314.16	55,269.00
EMC CORP-MASS	1,900,000	22.430		29,507.00	13,110.00	42,617.00
EXXON MOBIL CORP.	700,000	88.990		35,860.15	26,432.85	62,293.00
FEDEX CORP.	400,000	94.010		40,660.00	-3,056.00	37,604.00
FOSTER WHEELER AG	900,000	21.100		25,028.73	-6,038.73	18,990.00
FREEPORT MCMORAN	1,000,000	30.430		31,961.90	-1,531.90	30,430.00
GANNETT CO INC.	2,600,000	20.160		38,560.62	13,855.38	52,416.00
HASBRO INC.	700,000	47.370		25,631.76	7,527.24	33,159.00
HOME DEPOT INC.	1,200,000	73.350		44,810.87	43,209.13	88,020.00
INTEL CORP.	1,200,000	23.950		21,388.00	7,352.00	28,740.00
JPMORGAN CHASE & CO.	900,000	49.010		41,541.02	2,567.98	44,109.00
LAS VEGAS SANDS CORP.	1,200,000	56.250		13,852.77	53,647.23	67,500.00
MERCK & CO INC NEW	1,000,000	47.000		33,791.80	13,208.20	47,000.00
METLIFE INC.	800,000	38.990		26,334.64	4,857.36	31,192.00
MGM MIRAGE	2,000,000	14.120		24,755.71	3,484.29	28,240.00
MICROSOFT CORP.	1,300,000	33.100		35,169.32	7,860.68	43,030.00
NEWS CORP LTD. CLASS B	1,500,000	31.120		37,233.15	9,446.85	46,680.00
NEXTERRA ENERGY INC.	800,000	82.030		47,976.84	17,647.16	65,624.00
NII HLDGS INC CLASS B N...	1,300,000	8.700		24,085.62	-12,775.62	11,310.00
NORTHEAST UTILITIES	1,200,000	45.330		29,211.93	25,184.07	54,396.00
ONYX PHARMACEUTICALS...	500,000	94.800		16,773.90	30,626.10	47,400.00
ORACLE CORP.	1,100,000	32.780		18,306.25	17,751.75	36,058.00
ORIENT EXPRESS HOTELS...	2,400,000	10.100		22,693.92	1,546.08	24,240.00
PFIZER INC.	1,700,000	29.070		45,855.15	3,563.85	49,419.00
PLUM CREEK TIMER CO.	700,000	51.540		28,489.72	7,588.28	36,078.00
REGENERON PHARMACEU...	700,000	215.140		10,716.60	139,881.40	150,598.00
ROWAN COMPANIES INC.	1,000,000	32.530		34,866.50	-2,336.50	32,530.00
SCHLUMBERGER LTD	500,000	74.430		27,361.25	9,853.75	37,215.00
SEATTLE GENETICS INC.	2,000,000	36.950		22,808.13	51,091.87	73,900.00

Portfolio Value - As of 4/30/2013:2

As of 4/30/2013

9/13/2013

Page 2

Security	Shares	Quote/Price	est	Cost Basis	Gain/Loss	Balance
SPRINT NEXTEL CORP.	8,000.000	7.050		74,884.05	-18,484.05	56,400.00
STILLWATER MINING CO.	1,200.000	12.440		15,995.88	-1,067.88	14,928.00
SYNGENTA AG ADR	500.000	85.500		25,076.84	17,673.16	42,750.00
TELEPHONE & DATA SYST...	1,032.000	22.440		35,993.49	-12,835.41	23,158.08
TREE.COM INC.	3.000	20.470		20.89	40.52	61.41
VODAFONE GROUP PLC	1,300.000	30.590		32,634.32	7,132.68	39,767.00
YAHOO INC.	1,700.000	24.730		45,675.94	-3,634.94	42,041.00
TOTAL Common Stock				1,547,806.56	690,233.18	2,238,039.74

Corporate Oblig

BERKSHIRE HATHWY GLO...	50,000.000	1.049	50,094.00	2,356.50	52,450.50
CINCINNATI BELL 3/15/18	25,000.000	1.020	25,157.01	342.99	25,500.00
CREDIT SUISSE NEW YOR...	50,000.000	1.049	50,434.00	2,036.00	52,470.00
MICRON TECHNOLOGY INC	25,000.000	1.025	23,179.69	2,445.31	25,625.00
PETROBRAS INTL FINANC...	50,000.000	1.049	50,536.85	1,935.65	52,472.50
PETROBRAS INTL FINANC...	50,000.000	1.042	51,658.31	437.69	52,096.00
TOTAL Corporate Oblig			251,059.86	9,554.14	260,614.00

Municipal Bond

BROOME CO NY PUB G/O 4...	25,000.000	1.036	25,100.00	811.00	25,911.00
MONROE CO NY PUB IMP ...	50,000.000	1.040	49,325.00	2,681.00	52,006.00
MONTICELLO NEW YORK ..	25,000.000	1.044	24,665.00	1,432.25	26,097.25
ROMULUS CENT SCH 6/15/...	25,000.000	1.058	24,998.00	1,449.25	26,447.25
SUFFOLK CNTY NY WTR 6/...	20,000.000	1.013	20,254.00	4.40	20,258.40
TOTAL Municipal Bond			144,342.00	6,377.90	150,719.90

US Treas Notes

US TREASURY NOTES DU...	50,000.000	1.031	47,645.00	3,886.50	51,531.50
TOTAL US Treas Notes			47,645.00	3,886.50	51,531.50

TOTAL Investments1,941,267.14 710,051.12 2,701,318.96

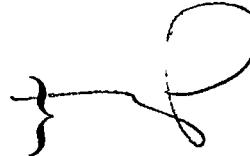
STATE OF NEW YORK
County of New York, s:

THE ANNUAL RETURN
OF D'AGOSTINO FOUNDATION
for the fiscal year
ended APRIL 30, 2013 is
available at its principal
office located at 2239 S.W.
BROOKHAVEN WAY
PALM CITY, FL 34990-5751
for inspection during regular
business hours by any
citizen who requests it
within 180 days hereof.
Principal Manager of the
Foundation is ERNEST
SCHAAL
2146431

Mary Pawlina, being duly sworn, says that she is the PRINCIPAL CLERK of the Publisher of the **NEW YORK LAW JOURNAL**, a Daily Newspaper; that the Advertisement hereto annexed has been published in the said **NEW YORK LAW JOURNAL** one time on the 4th day of September, 2013.

TO WIT: SEPTEMBER 4, 2013

SWORN BEFORE ME, this 4th day
Of September, 2013.



Cynthia Byrd

Cynthia Byrd
Notary Public, State of New York
No. 01BY6056945
Qualified in Kings County
Commission Expires April 09, 2015