



See a Social Security Number? Say Something!  
Report Privacy Problems to <https://public.resource.org/privacy>  
Or call the IRS Identity Theft Hotline at 1-800-908-4490



**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.

For calendar year 2012 or tax year beginning **11/1/2012**, and ending **10/31/2013**

Name of foundation <b>The Spitzer Trust</b>		A Employer identification number <b>11-2419181</b>
Number and street (or P.O. box number if mail is not delivered to street address) <b>c/o Abe Fish, CPA, 14 Waverly Pl.</b>		B Telephone number (see instructions) <b>(845) 659-3085</b>
Room/suite		C If exemption application is pending, check here <input type="checkbox"/>
City or town, state, and ZIP code <b>Monsey NY 10952</b>		
G Check all that apply: <input type="checkbox"/> Initial return <input type="checkbox"/> Initial return of a former public charity <input type="checkbox"/> Final return <input type="checkbox"/> Amended return <input type="checkbox"/> Address change <input type="checkbox"/> Name change		D 1. Foreign organizations, check here . . . <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation . . . <input type="checkbox"/>
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		E If private foundation status was terminated under section 507(b)(1)(A), check here . . . <input type="checkbox"/>
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ▶ \$ <b>4,897,905</b>	J Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other (specify) _____	F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here . . . <input type="checkbox"/>

	(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
<b>Part I Analysis of Revenue and Expenses</b> (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see instructions).)				
<b>Revenue</b>				
1 Contributions, gifts, grants, etc., received (attach schedule)				
2 Check <input checked="" type="checkbox"/> if the foundation is not required to attach Sch. B				
3 Interest on savings and temporary cash investments	28	28		
4 Dividends and interest from securities	102,561	102,561		
5 a Gross rents				
b Net rental income or (loss)				
6 a Net gain or (loss) from sale of assets not on line 10	134,943			
b Gross sales price for all assets on line 6a <b>861,121</b>				
7 Capital gain net income (from Part IV, line 2)		134,943		
8 Net short-term capital gain				
9 Income modifications				
10 a Gross sales less returns and allowances				
b Less: Cost of goods sold				
c Gross profit or (loss) (attach schedule)				
11 Other income (attach schedule)				
12 Total. Add lines 1 through 11	237,532	237,532	0	
<b>Operating and Administrative Expenses</b>				
13 Compensation of officers, directors, trustees, etc.				
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16 a Legal fees (attach schedule)				
b Accounting fees (attach schedule)	1,250	1,250		
c Other professional fees (attach schedule)	77,784	77,784		
17 Interest				
18 Taxes (attach schedule) (see instructions)	3,731	3,731		
19 Depreciation (attach schedule) and depletion				
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses (attach schedule)	250			250
24 Total operating and administrative expenses. Add lines 13 through 23	83,015	82,765	0	250
25 Contributions, gifts, grants paid	189,948			189,948
26 Total expenses and disbursements. Add lines 24 and 25	272,963	82,765	0	190,198
27 Subtract line 26 from line 12:				
a Excess of revenue over expenses and disbursements	-35,431			
b Net investment income (if negative, enter -0-)		154,767		
c Adjusted net income (if negative, enter -0-)			0	

For Paperwork Reduction Act Notice, see instructions.

SCANNED JUN 20 2014

614

14

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 . . . . .	74,497	53,165	53,165
	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 . . . . .			
	10 a	Investments—U.S. and state government obligations (attach schedule) . . . . .			
	b	Investments—corporate stock (attach schedule) . . . . .	2,844,113	2,825,014	4,844,740
	c	Investments—corporate bonds (attach schedule) . . . . .			
	11	Investments—land, buildings, and equipment: basis ▶ . . . . .			
	Less: accumulated depreciation (attach schedule) ▶ . . . . .				
12	Investments—mortgage loans . . . . .				
13	Investments—other (attach schedule) . . . . .				
14	Land, buildings, and equipment: basis ▶ . . . . .				
	Less: accumulated depreciation (attach schedule) ▶ . . . . .				
15	Other assets (describe ▶ . . . . .)				
16	Total assets (to be completed by all filers—see the instructions. Also, see page 1, item I) . . . . .	2,918,610	2,878,179	4,897,905	
Liabilities	17	Accounts payable and accrued expenses . . . . .			
	18	Grants payable . . . . .			
	19	Deferred revenue . . . . .			
	20	Loans from officers, directors, trustees, and other disqualified persons . . . . .	5,000		
	21	Mortgages and other notes payable (attach schedule) . . . . .			
	22	Other liabilities (describe ▶ . . . . .)			
23	Total liabilities (add lines 17 through 22) . . . . .	5,000	0		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here . . . . . <input type="checkbox"/>				
	24	Unrestricted . . . . .			
	25	Temporarily restricted . . . . .			
	26	Permanently restricted . . . . .			
	Foundations that do not follow SFAS 117, check here . . . . . <input checked="" type="checkbox"/>				
	27	Capital stock, trust principal, or current funds . . . . .	2,913,610	2,878,179	
	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 (see instructions) . . . . .	2,913,610	2,878,179		
31	Total liabilities and net assets/fund balances (see instructions) . . . . .	2,918,610	2,878,179		

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 2,913,610
2	Enter amount from Part I, line 27a . . . . .	2 -35,431
3	Other increases not included in line 2 (itemize) ▶ . . . . .	3
4	Add lines 1, 2, and 3 . . . . .	4 2,878,179
5	Decreases not included in line 2 (itemize) ▶ . . . . .	5
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 . . . . .	6 2,878,179

**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.)
<b>1a Publicly traded securities (see attachment C)</b>				
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 861,121		726,178	134,943	
b				
c				
d				
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))	
(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any		
a			134,943	
b				
c				
d				
e				
<b>2 Capital gain net income or (net capital loss)</b> <span style="font-size: small;">{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }</span>			<b>2</b>	134,943
<b>3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):</b> If gain, also enter in Part I, line 8, column (c) (see instructions). If (loss), enter -0- in Part I, line 8			<b>3</b>	0

**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	216,180	3,923,024	0.055105
2010	168,109	3,844,176	0.043731
2009	170,385	3,219,160	0.052928
2008	213,122	2,778,296	0.076710
2007	205,684	4,231,333	0.048610
<b>2 Total of line 1, column (d)</b>			<b>2</b> 0.277084
<b>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</b>			<b>3</b> 0.055417
<b>4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5</b>			<b>4</b> 4,340,828
<b>5 Multiply line 4 by line 3</b>			<b>5</b> 240,556
<b>6 Enter 1% of net investment income (1% of Part I, line 27b)</b>			<b>6</b> 1,548
<b>7 Add lines 5 and 6</b>			<b>7</b> 242,104
<b>8 Enter qualifying distributions from Part XII, line 4</b> 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.			<b>8</b> 189,948

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

1 a Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary—see instructions)		1	3,095
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> 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).			
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	3,095
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	3,095
6 Credits/Payments:			
a 2012 estimated tax payments and 2011 overpayment credited to 2012	6a	2,418	
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	2,418
8 Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached		8	
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		9	677
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid		10	0
11 Enter the amount of line 10 to be: Credited to 2013 estimated tax <input type="checkbox"/> 965 Refunded <input type="checkbox"/> 0		11	0

**Part VII-A Statements Regarding Activities**

	Yes	No
1 a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1 b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see Instructions for the definition)? <i>If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.</i>		X
1 c Did the foundation file Form 1120-POL for this year?		X
2 Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ▶ \$ _____ (2) On foundation managers. ▶ \$ _____		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ▶ \$ _____		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If "Yes," attach a detailed description of the activities.</i>		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? <i>If "Yes," attach a conformed copy of the changes</i>		X
4 a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?	N/A	
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If "Yes," attach the statement required by General Instruction T</i>		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? <i>If "Yes," complete Part II, col. (c), and Part XV.</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ NY		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? <i>If "No," attach explanation</i>	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? <i>If "Yes," complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If "Yes," attach a schedule listing their names and addresses</i>		X

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

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions) . . . . .	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If "Yes," attach statement (see instructions) . . . . .	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? . . . . . Website address ▶	13	X	
14	The books are in care of ▶ <u>Abe Fish, CPA</u> Telephone no. ▶ <u>(212) 659-3085</u> Located at ▶ <u>14 Waverly Pl. Monsey NY</u> ZIP+4 ▶ <u>10952</u>			
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 . . . . . ▶ <u>15</u>			<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	Yes	No X

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

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
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? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b If any answer is "Yes" to 1a(1)–(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)? . . . . . <input type="checkbox"/> Organizations relying on a current notice regarding disaster assistance check here ▶ <input type="checkbox"/>	1b	N/A
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2012? . . . . .	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? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 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.) . . . . .	2b	
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ▶ 20____, 20____, 20____, 20____		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b If "Yes," did it have excess business holdings in 2012 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2012.) . . . . .	3b	N/A
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)**

**6a** 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?  Yes  No  
 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?  Yes  No

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

**1 List all officers, directors, trustees, foundation managers and their compensation (see 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
Albert and Enka Spitzer 1684 50th Street Brooklyn, NY 11204	Trustees	.00	0	
Michael Spitzer 871 E. 24th Street Brooklyn, NY 11210	Trustee	.00	0	
Eli Spitzer 60 Crescent Avenue Passaic, NJ 07055	Trustee	.00	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  0

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

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

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
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.	Expenses
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.	Amount
1 N/A	
2	
All other program-related investments. See instructions.	
3	
<b>Total. Add lines 1 through 3</b> <span style="float: right;">▶</span>	<b>0</b>

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

<b>1</b>	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
<b>a</b>	Average monthly fair market value of securities	<b>1a</b>	4,290,053
<b>b</b>	Average of monthly cash balances	<b>1b</b>	116,879
<b>c</b>	Fair market value of all other assets (see instructions)	<b>1c</b>	
<b>d</b>	Total (add lines 1a, b, and c)	<b>1d</b>	4,406,932
<b>e</b>	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	<b>1e</b>	
<b>2</b>	Acquisition indebtedness applicable to line 1 assets	<b>2</b>	
<b>3</b>	Subtract line 2 from line 1d	<b>3</b>	4,406,932
<b>4</b>	Cash deemed held for charitable activities. Enter 1 1/2 % of line 3 (for greater amount, see instructions)	<b>4</b>	66,104
<b>5</b>	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4.	<b>5</b>	4,340,828
<b>6</b>	Minimum investment return. Enter 5% of line 5	<b>6</b>	217,041

**Part XI Distributable Amount** (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here  and do not complete this part.)

<b>1</b>	Minimum investment return from Part X, line 6	<b>1</b>	217,041
<b>2a</b>	Tax on investment income for 2012 from Part VI, line 5	<b>2a</b>	3,095
<b>b</b>	Income tax for 2012. (This does not include the tax from Part VI.)	<b>2b</b>	
<b>c</b>	Add lines 2a and 2b	<b>2c</b>	3,095
<b>3</b>	Distributable amount before adjustments. Subtract line 2c from line 1	<b>3</b>	213,946
<b>4</b>	Recoveries of amounts treated as qualifying distributions	<b>4</b>	
<b>5</b>	Add lines 3 and 4	<b>5</b>	213,946
<b>6</b>	Deduction from distributable amount (see instructions)	<b>6</b>	
<b>7</b>	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	<b>7</b>	213,946

**Part XII Qualifying Distributions** (see instructions)

<b>1</b>	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
<b>a</b>	Expenses, contributions, gifts, etc.—total from Part I, column (d), line 26	<b>1a</b>	189,948
<b>b</b>	Program-related investments—total from Part IX-B	<b>1b</b>	
<b>2</b>	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	<b>2</b>	
<b>3</b>	Amounts set aside for specific charitable projects that satisfy the:		
<b>a</b>	Suitability test (prior IRS approval required)	<b>3a</b>	
<b>b</b>	Cash distribution test (attach the required schedule)	<b>3b</b>	
<b>4</b>	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	<b>4</b>	189,948
<b>5</b>	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	<b>5</b>	
<b>6</b>	Adjusted qualifying distributions. Subtract line 5 from line 4	<b>6</b>	189,948

**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
<b>1</b> Distributable amount for 2012 from Part XI, line 7 . . . . .				213,946
<b>2</b> Undistributed income, if any, as of the end of 2012:				
<b>a</b> Enter amount for 2011 only . . . . .			27,756	
<b>b</b> Total for prior years: 20 08 , 20 09 , 20 10 . . . . .		120,567		
<b>3</b> Excess distributions carryover, if any, to 2012:				
<b>a</b> From 2007 . . . . .				
<b>b</b> From 2008 . . . . .				
<b>c</b> From 2009 . . . . .				
<b>d</b> From 2010 . . . . .				
<b>e</b> From 2011 . . . . .				
<b>f</b> Total of lines 3a through e . . . . .	0			
<b>4</b> Qualifying distributions for 2012 from Part XII, line 4: ► \$ 189,948				
<b>a</b> Applied to 2011, but not more than line 2a . . . . .			27,756	
<b>b</b> Applied to undistributed income of prior years (Election required—see instructions) . . . . .				
<b>c</b> Treated as distributions out of corpus (Election required—see instructions) . . . . .				
<b>d</b> Applied to 2012 distributable amount . . . . .				162,192
<b>e</b> Remaining amount distributed out of corpus . . . . .				
<b>5</b> Excess distributions carryover applied to 2012 . . . . . (If an amount appears in column (d), the same amount must be shown in column (a).)				
<b>6</b> Enter the net total of each column as indicated below:				
<b>a</b> Corpus. Add lines 3f, 4c, and 4e. Subtract line 5 . . . . .	0			
<b>b</b> Prior years' undistributed income. Subtract line 4b from line 2b . . . . .		120,567		
<b>c</b> 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 . . . . .				
<b>d</b> Subtract line 6c from line 6b. Taxable amount—see instructions . . . . .		120,567		
<b>e</b> Undistributed income for 2011. Subtract line 4a from line 2a. Taxable amount—see instructions . . . . .			0	
<b>f</b> Undistributed income for 2012. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2013 . . . . .				51,754
<b>7</b> Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions) . . . . .				
<b>8</b> Excess distributions carryover from 2007 not applied on line 5 or line 7 (see instructions) . . . . .				
<b>9</b> Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a . . . . .				
<b>10</b> Analysis of line 9:				
<b>a</b> Excess from 2008 . . . . .				
<b>b</b> Excess from 2009 . . . . .				
<b>c</b> Excess from 2010 . . . . .				
<b>d</b> Excess from 2011 . . . . .				
<b>e</b> Excess from 2012 . . . . .				

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

- 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				(e) Total
	(a) 2012	(b) 2011	(c) 2010	(d) 2009	
<b>2 a</b> Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					0
<b>b</b> 85% of line 2a					0
<b>c</b> Qualifying distributions from Part XII, line 4 for each year listed					0
<b>d</b> Amounts included in line 2c not used directly for active conduct of exempt activities					0
<b>e</b> Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c					0
<b>3</b> Complete 3a, b, or c for the alternative test relied upon:					
<b>a</b> "Assets" alternative test—enter:					
<b>(1)</b> Value of all assets					0
<b>(2)</b> Value of assets qualifying under section 4942(j)(3)(B)(i)					0
<b>b</b> "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					0
<b>c</b> "Support" alternative test—enter:					
<b>(1)</b> Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					0
<b>(2)</b> Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					0
<b>(3)</b> Largest amount of support from an exempt organization					0
<b>(4)</b> Gross investment income					0

**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).)

None

- 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 <i>Paid during the year</i> See attachment A			Unrestricted Use	189,948
<b>Total</b>			▶ 3a	189,948
b <i>Approved for future payment</i> See attachment B			Unrestricted use	33,500
<b>Total</b>			▶ 3b	33,500





Spitzer Trust  
 11-2419181  
 Schedule of Charitable Contributions  
 Year Ended October 31, 2013

Attachment A

<u>Recipient</u>	<u>Amount</u>	<u>Recipient</u>	<u>Amount</u>
4747 Charity	354	L'man Achai	36
American Friends of Hungarian Jews	100	Masbia	18
American Friends of Yeshiva Gaon Yaakov	360	Mechon Beth Meir	180
A-Time	36	Merkaz Hakolellim	500
Bais Yaakov Academy	11,500	Mesifta Nachlas Yaakov	200
Beis Yacov of Passaic	8,000	Mesifta of Long Beach	9,018
Beth Jacob HS of Denver	25	Mesores Bais Yaakov	4,300
Beth Jacob Teachers Seminary	50	Misaskim	216
Beth Medrosh Gevoah	500	M'Kor Chaim	36
Bikur Cholim of Boro Park	50	N'Shei Ahavas Chesed	99
Bikur Cholim	25	Ohel	36
Bonei Olom	68	Ohr Someach	25
Chasdei Chana	36	Oneg Shabbos	26
Chofetz Chaim Heritage	20	P'tach	18
Chush	18	Quaker Hill Charity	180
Cog Oseh Tzdoka Vochedes	36	Rifka Laufer Bikur Cholim	50
Cong Ahavas Tzedoko V'Chesed	14,250	Satmar Bikur Cholim	100
Cong Bais Ephraim	1,000	Shalom Torah Centers	600
Cong Bais Yitzchok	18	Shuvu Chazon Avrohom	25
Cong Chemed	1,000	Sinai Academy	1,000
Cong Eeyim B'yam	380	Talmud Torah Beth Yechiel	100
Cong Kehal Yesode HaTorah	2,013	Talmudical Academy of Philadelphia	1,000
Cong Keser Yisroel	18	The Cheder	6,500
Cong K'hal Chasidim	3,600	Tiferes Devorah L'Kallah	100
Cong Khal Chassidim	360	Tomchei Shabbos	3,018
Cong Torah U'tifila	72	Tzedoka Gemilas Chesed	36
Cong Torah V'Chesed	100	United Talmudical Academy	20,000
Cong Toras Chemed	85	Weiner Bikur Cholim	108
Cong Tzedaka V'Chesed	20	Yad Batya L'Kallah	50
Cong Zera Abraham	36	Yeshiva Bais Dovid	2,500
Congregation of Quaker Hill	36	Yeshiva Chasan Sofer	100
Echo	25	Yeshiva Derech Chaim	100
Eretz Tova Bridal Fund	36	Yeshiva Farm Settlement	3,000
Eruv of Miami	50	Yeshiva Gedola of Passaic	9,000
Ezra L'Marpe	25	Yeshiva Harbotzas HaTorah	50
Ezras Yisroel	5,000	Yeshiva Karlin Stolin	100
Hachnosos Kallah	36	Yeshiva K'tana of Passaic	24,000
Hatzola	50	Yeshiva M'Kor Chaim	50
Hidabrouit	100	Yeshiva of Nitra	1,000
Hurricane Relief Fund	1,000	Yeshiva Ohr HaMeir Peekskill	360
Ichud Hayeshivos	50	Yeshiva Ruach HaTorah	5,000
Khal Shemen	50	Yeshiva Torah Temimah	28,000
Kolel Bais Eluzer D'Kiviasd	100	Yeshiva Toras Chaim	100
Kolel Shomrei HaChomos	2,172	Yeshiva Toras Chemed	7,000
Ladies Auxiliary of Adas Yereim	43	Yeshivs S.R. Hirsch	9,000
Lev L'Achim	10	Zichron Shloma Refuah Fund	100
<b>Total (to form 990-PF Part VX, line 3a)</b>			<b><u>189,948</u></b>

Spitzer Trust  
11-2419181

Attachment B

Schedule of Charitable Contributions approved for future Payment  
Year Ended October 31, 2013

<u>Recipient</u>	<u>Amount</u>	<u>FY payable</u>
Yeshiva Toras Chemed	7,000	FY 2013/14
Yeshiva Toras Chemed	7,000	FY 2014/15
Yeshiva Toras Chemed	7,000	FY 2015/16
Cong Ahavas Tzedoko V'Chesed	4,500	FY 2015/16
Yeshiva Toras Chemed	<u>8,000</u>	FY 2016/17
Total - to Part 15, line 3b	<u>33,500</u>	

The Spitzer Trust  
11-2419181  
Capital Gains and Losses  
Year Ended October 31, 2013

(a) Security Description	(b) How acquired	(c) Date Acquired	(d) Date Sold	(e) Gross Sales Price	(f) Depre- ciation	(g) Cost or other basis	(h) Gain or (loss)
300 Cabelas Corp	P	06/01/06	12/21/12	12,000		5,354	6,647
3000 Sanofi Contingent Rts	P	04/11/11	12/14/12	5,092		7,062	-1,970
7 Call WDC 011913 40	P	11/16/12	11/19/12	2,205		273	1,932
3 Call Cab 122212 40 (assigned option)	P	12/21/12	12/27/12	1,260		0	1,260
8 C WDC 011913 45	P	10/31/12	11/01/12	2,240		100	2,140
2500 Century Link Inc	P	various	09/27/13	79,593		98,141	-18,548
1000 Century Link Inc	P	07/15/13	10/08/13	31,400		36,288	-4,888
2000 Annaly Cap Mgmt Inc	P	various	10/18/13	23,760		25,859	-2,099
1000 Heinz HJ Company	P	02/22/11	02/14/13	72,381		47,694	24,687
2000 Logitech Intl	P	various	03/20/13	13,657		29,091	-15,433
2000 Logitech Intl	P	07/21/11	05/29/13	13,467		21,140	-7,673
1000 Logitech Intl	P	11/30/09	02/27/13	6,910		16,544	-9,634
3000 CBS Corp	P	various	01/17/13	123,157		75,966	47,191
2000 CBS Corp	P	various	05/14/13	100,148		47,052	53,096
1000 Greatbatch Inc	P	07/13/06	04/05/13	30,181		21,989	8,192
500 Greatbatch Inc	P	07/13/06	07/24/13	17,942		10,994	6,948
500 Helix Energy Solutions	P	03/17/08	03/20/13	11,390		15,310	-3,920
500 Helix Energy Solutions	P	03/17/08	04/17/13	10,345		15,310	-4,965
500 Helix Energy Solutions	P	10/04/06	05/29/13	12,200		14,307	-2,107
500 Helix Energy Solutions	P	10/04/06	07/24/13	12,886		14,307	-1,421
500 Helix Energy Solutions	P	10/04/06	10/18/13	12,235		14,307	-2,072
500 Hewlett Packard Company	P	04/22/98	10/18/13	11,685		13,148	-1,463
500 Hexcel Corp	P	10/07/08	07/24/13	17,829		5,063	12,766
1200 Isis Pharmaceuticals	P	03/23/10	04/25/13	26,934		12,527	14,407
1200 Isis Pharmaceuticals	P	03/23/10	07/15/13	26,882		8,351	18,531
300 Kimberly Clark Corp	P	04/12/10	03/20/13	28,589		18,390	10,199
200 Kimberly Clark Corp	P	04/12/10	03/26/13	19,416		12,260	7,156
500 Kimberly Clark Corp	P	04/16/10	05/01/13	51,998		30,988	21,010
1000 Lilly Eli & Company	P	various	03/05/13	55,609		76,348	-20,739
312 Northeast Utilities	P	09/06/13	07/24/13	13,778		5,633	8,145
500 Textron Inc	P	06/19/08	07/24/13	13,950		26,382	-12,432
Zoetis (Cash in Lieu)	P	04/12/10	06/27/13	2		1	1
Totals (to form 990-PF Part IV)				<u>861,121</u>		<u>726,178</u>	<u>134,943</u>

## The Spitzer Trust

Form 990-PF Corporate Stock

<u>Shares</u>	<u>Description</u>	October 31, 2013	
		<u>Book Value</u>	<u>Fair Market Value</u>
13,000	Annaly Capital Management Inc	189,391	153,270
300	Berkley W R Corp	7,821	13,173
1,500	Boeing Company	52,995	195,750
6,000	Boston Scientific Corp	56,356	70,140
2,000	CBS Corp	26,803	118,280
2,500	Centurylink Inc	82,278	84,650
10,000	Cheaspeake Energy Corp	252,660	279,600
3,000	Chevron Corp	155,895	359,880
22,000	China XD Plastics Company	97,036	106,260
4,000	Cisco Systems Inc	85,380	90,240
721	ConocoPhillips	13,874	52,871
12,000	Denbury Resources Inc	209,707	227,880
3,000	Devon Energy Corp	77,198	189,660
5,000	Disney Walt Company	132,548	342,950
1,000	Exxon Mobil Corp	38,583	89,620
1,000	Forest Laboratories Inc	26,944	47,030
3,000	Freeport McMoran Copper & Gold	93,905	110,280
3,500	GreatBatch Inc	61,002	133,420
1,000	Helix Energy Solutions	28,614	23,660
1,500	Hewlett-Packard Company	33,337	36,555
4,500	Hexcel Corp	72,822	190,395
4,000	Intel Corp	88,321	97,880
1,800	International Business Machines	87,908	322,578
10,000	Isis Pharmaceuticals	88,020	332,700
1,000	JP Morgan Chase & Company	37,108	51,540
3,000	Microsoft Corp	76,299	106,215
2,500	Norfolk Southern Corp	50,108	215,050
3,000	North American Palladium LTD	21,839	2,648
1,000	Northeast Utilities	18,054	42,890
1,517	Pfizer	7,739	46,549
360	Phillips 66	4,117	23,195
2,000	Raytheon Company	91,689	164,740
1,500	Texas Instruments Inc	34,392	63,128
7,000	Textron	227,830	201,530
333	Time Warner Inc New	11,182	22,890
1,000	Verizon Communications Inc	28,092	50,510
1,500	Western Digital Corp	39,762	104,445
478	Zoetis Inc	8,364	15,133
3,000	Marvell Technology Group	32,192	35,985
3,000	Xyratex Limited	32,928	29,820
2,000	Golar Lng Partners	62,382	61,880
-20	Call CBS Corp	-8,200	-26,800
-10	Call Hewlett Packard	-1,500	-6,500
-10	Call Western Digital	-5,100	-19,550
-5	Call Western Digital	-1,675	-7,375
-15	Call Microsoft Corp	-1,986	-1,905

Total to Form 990 PF, Part II, line 10B

\$2,825,014\$4,844,740

Form 990-PF	Dividends and Interest from Securities			Statement 1
Source:	a	b	c	d
	Revenue per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
Stifel Nicolaus	<u>91,857</u>	<u>91,857</u>		
Total to Form 990-PF Part I, line 4	<u>91,857</u>	<u>91,857</u>		

Form 990-PF	Accounting Fees			Statement 2
Description	a	b	c	d
	Expenses per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
Bookkeeping and Tax Preparation	<u>1250</u>			
Total To Form 990-PF Part1, line 16b	<u>1250</u>			

Form 990-PF	Other Professional Fees			Statement 3
Description	a	b	c	d
Investment Management	Expenses per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
Stifel Nicolaus	<u>77,784</u>	<u>77,784</u>		
Total to Form 990-PF Part I, line 16c	<u>77,784</u>	<u>77,784</u>		

Form 990-PF	Other expenses			Statement 4
Description	a	b	c	d
Other expenses	Expenses per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
State Filing Fee	<u>250</u>	<u>250</u>		
Total to Form 990-PF Part I, line 23	<u>250</u>	<u>250</u>		