

Form 990-PF

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

OMB No 1545-0052

2016

Department of the Treasury Internal Revenue Service

Do not enter social security numbers on this form as it may be made public. Information about Form 990-PF and its separate instructions is at www.irs.gov/form990pf.

Open to Public Inspection

For calendar year 2016 or tax year beginning 11/1/2016, and ending 10/31/2017

Name of foundation: The Spitzer Trust
A Employer identification number: 11-2419181
B Telephone number: (845) 659-3085
C If exemption application is pending, check here
D 1. Foreign organizations, check here
D 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

G Check all that apply: Initial return, Final return, Address change, Initial return of a former public charity, Amended return, Name change
H Check type of organization: Section 501(c)(3) exempt private foundation
I Fair market value of all assets at end of year: 4,408,225
J Accounting method: Cash

Table with 5 columns: (a) Revenue and expenses per books, (b) Net investment income, (c) Adjusted net income, (d) Disbursements for charitable purposes. Rows include Revenue (1-12) and Operating and Administrative Expenses (13-26), with a final summary row (27).

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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	361,148	57,377	57,377
	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)		50,606	50,515
	b	Investments—corporate stock (attach schedule)	1,865,198	2,647,784	3,519,796
	c	Investments—corporate bonds (attach schedule)		572,987	575,411
	11	Investments—land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶				
12	Investments—mortgage loans				
13	Investments—other (attach schedule)	500,000	500,000	205,126	
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)	2,726,346	3,828,754	4,408,225	
Liabilities	17	Accounts payable and accrued expenses			
	18	Grants payable			
	19	Deferred revenue			
	20	Loans from officers, directors, trustees, and other disqualified persons			
	21	Mortgages and other notes payable (attach schedule)			
	22	Other liabilities (describe ▶)			
	23	Total liabilities (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <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	2,726,346	3,828,754	
	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)	2,726,346	3,828,754		
31	Total liabilities and net assets/fund balances (see instructions)	2,726,346	3,828,754		

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	2,726,346
2	Enter amount from Part I, line 27a	2	1,102,408
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	3,828,754
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	3,828,754

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 Publicly Traded Securities				
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 3,801,769		2,553,092	1,248,677	
b				
c				
d				
e				
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) FMV as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any		
a			1,248,677	
b				
c				
d				
e				
2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }		2	1,248,677
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	{ If gain, also enter in Part I, line 8, column (c) (see instructions) If (loss), enter -0- in Part I, line 8 }		3	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))
2015	173,603	4,137,023	0.041963
2014	177,586	5,025,540	0.035337
2013	185,484	5,186,128	0.035765
2012	190,198	4,340,828	0.043816
2011	216,180	3,923,024	0.055105
2 Total of line 1, column (d)			2 0.211986
3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years			3 0.042397
4 Enter the net value of noncharitable-use assets for 2016 from Part X, line 5			4 4,468,534
5 Multiply line 4 by line 3			5 189,452
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 12,830
7 Add lines 5 and 6			7 202,282
8 Enter qualifying distributions from Part XII, line 4 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			8 180,611

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 <input type="checkbox"/> 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 <input type="checkbox"/> and enter 1% of Part I, line 27b	1	25,660	
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	25,660	
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	25,660	
6	Credits/Payments:			
a	2016 estimated tax payments and 2015 overpayment credited to 2016	6a	1,968	
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	1,968	
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	23,692	
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 2017 estimated tax 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?		X
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
c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year. (1) On the foundation ▶ \$ _____ (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
4a 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	
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 <i>General Instruction G</i> ? <i>If "No," attach explanation</i>		
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 2016 or the taxable year beginning in 2016 (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	Yes	No
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 ▶ Abe Fish, CPA Telephone no ▶ (845) 659-3085 Located at ▶ 14 Waverly Pl. Monsey NY ZIP+4 ▶ 10952			
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			
16	At any time during calendar year 2016, 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 FinCEN Form 114. 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)? 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 2016?	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 2016, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2016? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," list the years ▶ 20_10_, 20_11_, 20_12_, 20_13_		
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	X
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 2016 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 2016)	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 2016?	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 4945(d)(4)(A)? (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)? **5b** N/A

Organizations relying on a current notice regarding disaster assistance check here

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? 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? **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
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

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	
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	3,708,927
b	Average of monthly cash balances	1b	327,656
c	Fair market value of all other assets (see instructions)	1c	500,000
d	Total (add lines 1a, b, and c)	1d	4,536,583
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	
2	Acquisition indebtedness applicable to line 1 assets	2	
3	Subtract line 2 from line 1d	3	4,536,583
4	Cash deemed held for charitable activities Enter 1½ % of line 3 (for greater amount, see instructions)	4	68,049
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	4,468,534
6	Minimum investment return. Enter 5% of line 5	6	223,427

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	223,427
2a	Tax on investment income for 2016 from Part VI, line 5	2a	25,660
b	Income tax for 2016 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	25,660
3	Distributable amount before adjustments Subtract line 2c from line 1	3	197,767
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	197,767
6	Deduction from distributable amount (see instructions)	6	
7	Distributable amount as adjusted Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	197,767

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	180,611
b	Program-related investments—total from Part IX-B	1b	
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	180,611
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	
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	180,611

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 2015	(c) 2015	(d) 2016
1 Distributable amount for 2016 from Part XI, line 7				197,767
2 Undistributed income, if any, as of the end of 2016:				
a Enter amount for 2015 only			205,793	
b Total for prior years. 2012, 2013, 2014		361,963		
3 Excess distributions carryover, if any, to 2016:				
a From 2011				
b From 2012				
c From 2013				
d From 2014				
e From 2015				
f Total of lines 3a through e	0			
4 Qualifying distributions for 2016 from Part XII, line 4 ▶ \$ 180,611				
a Applied to 2015, but not more than line 2a			180,611	
b Applied to undistributed income of prior years (Election required—see instructions)				
c Treated as distributions out of corpus (Election required—see instructions)				
d Applied to 2016 distributable amount				
e Remaining amount distributed out of corpus				
5 Excess distributions carryover applied to 2016. (If an amount appears in column (d), the same amount must be shown in column (a))				
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	0			
b Prior years' undistributed income Subtract line 4b from line 2b		361,963		
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				
d Subtract line 6c from line 6b Taxable amount—see instructions		361,963		
e Undistributed income for 2015 Subtract line 4a from line 2a Taxable amount—see instructions			25,182	
f Undistributed income for 2016 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2017				197,767
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (Election may be required—see instructions)				
8 Excess distributions carryover from 2011 not applied on line 5 or line 7 (see instructions)				
9 Excess distributions carryover to 2017. Subtract lines 7 and 8 from line 6a				
10 Analysis of line 9:				
a Excess from 2012				
b Excess from 2013				
c Excess from 2014				
d Excess from 2015				
e Excess from 2016				

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

- 1a** If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2016, 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) 2016	(b) 2015	(c) 2014	(d) 2013	
2a 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 85% of line 2a					0
c Qualifying distributions from Part XII, line 4 for each year listed					0
d Amounts included in line 2c not used directly for active conduct of exempt activities					0
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c					0
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test—enter:					
(1) Value of all assets					0
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					0
b "Endowment" alternative test—enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					0
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)					0
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					0
(3) Largest amount of support from an exempt organization					0
(4) 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 address of the person to whom applications should be addressed

See Attached Schedule

- 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

Unrestricted

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)				
<p>a <i>Paid during the year</i> See Attached Schedule</p>				180,611
<p>Total</p>			▶ 3a	180,611
<p>b <i>Approved for future payment</i></p>				
<p>Total</p>			▶ 3b	0

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

- 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... a Transfers from the reporting foundation to a noncharitable exempt organization of: (1) Cash, (2) Other assets, b Other transactions: (1) Sales of assets to a noncharitable exempt organization, (2) Purchases of assets from a noncharitable exempt organization, (3) Rental of facilities, equipment, or other assets, (4) Reimbursement arrangements, (5) Loans or loan guarantees, (6) Performance of services or membership or fundraising solicitations, c Sharing of facilities, equipment, mailing lists, other assets, or paid employees, d If the answer to any of the above is "Yes," complete the following schedule.

Table with 3 columns: Question/Item, Yes, No. Rows include 1a(1) Cash, 1a(2) Other assets, 1b(1) Sales of assets, 1b(2) Purchases of assets, 1b(3) Rental of facilities, 1b(4) Reimbursement arrangements, 1b(5) Loans or loan guarantees, 1b(6) Performance of services, and 1c Sharing of facilities.

Table with 4 columns: (a) Line no, (b) Amount involved, (c) Name of noncharitable exempt organization, (d) Description of transfers, transactions, and sharing arrangements.

- 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... b If "Yes," complete the following schedule.

Table with 3 columns: (a) Name of organization, (b) Type of organization, (c) Description of relationship.

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

Signature of officer or trustee: [Handwritten Signature], Date: 12/10/18, Title: Trustee

May the IRS discuss this return with the preparer shown below (see inst.)? [X] Yes [] No

Paid Preparer Use Only

Preparer information fields: Print/Type preparer's name (Abe Fish), Preparer's signature (Abe Fish), Date (07-22-2018), Check self-employed (checked), PTIN (902268976), Firm's name (Abe Fish, CPA), Firm's address (14 Walnut Pl, Mansey, NY 10952), Firm's EIN, Phone no.

Spitzer Trust
11-2419181
Schedule of Charitable Contributions
Year Ended October 31, 2017

recipient	Amount	recipient	Amount
4747 Charity	362	Khal Jesode Hatorah	180
Agudath Israel of Boro Park	650	Kolel Shomrei Hachomos	1,218
Ahavas Yoram Congregation	200	Kollel Medrosh Shmuel	25
American Friends of Shaarei Simcha	360	Kollel Zichron Shmuel	100
Arachim	36	Ladies Aux Adas Yereim	68
A-Time	122	Lakewood School	25
B.M.A.S Bais Medrosh	180	L'Man Achai	36
Bais Medrash of Rockland	12,500	Masbia	45
Bais Yaakov Academy	7,500	Mercaz Hakolelim	500
Beis Yaakov of Passaic	10,000	Mesifta of Long Beach	22,025
Beth Avrohom	250	Mesivta of Long Beach Chesed F	3,000
Bikur Cholim	50	Mesores Bais Yaakov	15,100
Bikur Cholim Chesed Org	36	Misaskim	86
Chai Lifeline	36	Nshei Ahavas Chesed	100
Chevra Kadisha of Khal Yesode Hatorah	80	OHEL Childrens Home	122
Chofetz Chaim Heritage Foundation	30	Quaker Hill Charity	362
Chush	25	Rav Chesed	200
Cong Chemdath Tora V'Chesed	2,380	Rivkah Laufer Bikur Cholim	200
Cong Eeyim B'yam	400	Satmar Bikur Cholim	25
Cong Khal Chasidim	5,400	Shaar Menachem	18
Cong Khal Yesode Hatorah	1,154	Simchas Sarah	50
Cong Kkal Jesode HaTorah	100	Sinai Academy	500
Cong Mosholu	36	The Chesed Fund	18
Cong Ner Dovid	50	Tomchei Shabbos	3,000
Cong Pozen	18	Tzidkas Yosef Naftali	50
Cong Quaker Hill	202	Vaad Harabonim	180
Cong Sdei Yaakov	550	Yad Batya L'Kallah	150
Cong Sharei Tefila	36	Yeshiva Bais Meir	10,000
Cong Shem Shem Mi'Shmuel	72	Yeshiva Chasan Sofer	86
Cong Tiferet Eliyohu	36	Yeshiva Darchei Torah	15,000
Cong Torah U'tifilla	50	Yeshiva Farm Settlement	250
Cong Toras Chemed	40	Yeshiva Karlin Stolin	100
ECHO	350	Yeshiva Ktana of Passaic	20,000
Guardians of the Sick	360	Yeshiva Naos Yaakov	10,000
Hatzolah	50	Yeshiva of Philadelphia	1,000
Heart & Sole Shoe Fund	36	Yeshiva Ohel Moshe	325
Irgun Shiurai Torah	350	Yeshiva R S R Hirsch	25
Israel Purim Fund	100	Yeshiva Shaarei Tora	6,000
Just 1 Life	72	Yeshiva Shaarei Torah	4,000
Keren Aniyam	18	Yeshiva Tora Temima	7,500
Keren Orah	360	Yeshivah of Rockland County	5,000
Keren Yacov Yitzchok	25	Yeshivas Toras Chemed	8,000
Khal Adas Yeshurin	1,000	Zichron Shloma Refuah Fund	280
Total (to form 990-PF Part XV, line 3a)			<u>\$180,611</u>

The Spitzer Trust
11-2419181
Corporate Stock
October 31, 2017

Attachment B

<u>Shares</u>	<u>Description</u>	<u>Book Value</u>	<u>Fair Market Value</u>
180	Avery Dennison Corp	\$14,119	\$19,111
1,175	Cleveland Cliffs Inc	8,445	7,003
595	Viavi Solution Inc	5,668	5,522
195	Charles Riv Laboratories	15,965	22,677
60	Hain Celestial Group	2,016	2,161
340	Impax Laboratories	4,500	6,171
110	Molina Healthcare Inc	5,609	7,461
70	Teledyne Tech	8,800	11,897
105	Treehouse Foods	7,972	6,970
545	Avis Budget Group	17,358	22,481
450	Chocs Inc	3,107	4,590
160	Deckers Outdoor Corp	9,177	10,918
400	Express Inc	2,604	2,708
350	Hertz Global Holdings	5,416	8,705
190	Meritor Inc	2,131	4,942
185	MSG Network	4,089	3,210
290	New York & Co	565	499
1,060	Office Depot	4,869	3,286
465	Seaworld Entmt	6,562	5,338
760	Tivo Corp	15,311	13,794
40	Ion Geophysical Corp	229	312
465	McDermott International	2,934	3,078
960	Tetra Technologies	3,940	2,726
235	Bankunited	7,954	8,190
130	Comerica	8,291	10,214
790	Huntington Bancshares	9,504	10,902
635	TCF Financial	10,340	11,570
110	Texas Cap Bancshares	7,816	9,466
355	Uniti Group Inc	9,237	6,213
180	Acadia Healthcare Company	7,059	5,645
290	Luminex Corp	5,861	6,192
260	Actuant Corp	6,703	6,630
390	Babcock & Wilcox Enterpris	1,542	1,708
185	Clean Hbrs	10,014	9,899
560	Covanta Hldg Corp	8,189	9,016
280	Crowns Hldgs Inc	15,474	16,848
530	Danaos Corporation	1,252	848
415	Harsco Corp	5,492	8,819
180	ITT Inc	7,208	8,395
830	KBR Inc	9,602	12,367
710	Manitowoc Inc	3,726	6,759
100	Ryder System Inc	7,367	8,108

The Spitzer Trust
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October 31, 2017

Attachment B

220	Textron Inc	6,926	11,602
190	Twin Disc Inc	3,155	4,057
40	Valmont Inds	5,827	6,356
295	Infrareit Inc	5,732	6,608
1,610	Accuray Inc	7,252	7,648
490	Acxiom Corp	13,235	12,328
195	Aerovironment	5,264	9,976
1,110	Allscripts Healthcare Solutions	12,587	14,963
80	Analogic Corp	6,156	6,424
610	Arris International	16,629	17,385
280	Articure Inc	5,230	5,574
140	Ceva Inc	5,065	7,004
1,255	Ciena Corp	27,645	26,694
410	Corelogic Inc	16,869	19,229
720	Cyprus Semiconductor	9,050	11,419
170	DST Systems	9,709	9,965
800	Fireeye Inc	10,952	13,536
1,510	Fluidigm Corp	6,340	8,758
280	Formfactor Inc	2,873	5,096
190	Haemonetics Corp	7,750	9,036
125	II IV Inc	3,673	5,650
1,305	Infinera Corporation	11,691	10,923
210	Intersect Ent Inc	3,232	6,227
140	Itron Inc	8,806	10,941
1,195	Keyw Hldg Corp	12,479	9,022
310	Macom Tech Solutions Hldgs	13,880	12,673
625	Maxwell Tech Inc	3,383	3,012
275	Mellanox Technologies	12,658	12,856
245	Mercury Sys Inc	7,451	12,365
370	Mitel Networks Corp	2,617	3,178
275	Nanostring Technologies Inc	3,655	2,739
980	Nuance Communications Inc	16,031	14,445
110	OSI Systems Inc	8,338	9,722
236	Quantum Corp	1,803	1,251
1,150	Rambus Inc	14,545	16,917
790	Seachange Intl Inc	2,025	2,093
125	Silver Spring Networks Inc	1,361	2,015
180	Spirit Aerosystems Hldgs Inc	10,030	14,418
435	Unisys Corp	4,766	3,806
275	Vasco Data Security Intl	3,786	3,740
375	Veeco Instrs Inc	11,078	6,769
495	Verifone Sys Inc	8,750	9,445
500	Verint Sys Inc	19,116	21,100
1,500	Atlantic Power Corp	3,585	3,675
645	Dynegy Inc	4,572	8,030

The Spitzer Trust
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Attachment B

385 NRG Energy Inc	5,255	9,625
180 Ormat Technologies Inc	9,623	11,687
60 Dynergy Inc	3,352	4,950
230 Diebold Nixdorf Inc	5,101	4,439
770 Sonus Networks Inc	5,350	6,006
200 Argum Inc	19,623	21,784
375 Intl Paper	17,030	21,476
450 Rio Tinto ADR	17,069	21,568
150 Amheuser-Busch	16,970	18,417
200 Proctor & Gamble	17,187	17,268
300 Wal-Mart Stores	21,478	26,193
450 Best Buy Inc	17,182	25,191
900 Interpublic Group	17,931	17,325
450 Willaims Sonoma	23,235	23,220
150 Chevron Corp	15,773	17,384
250 Exxon Mobil	9,646	20,837
275 Helmerich & Payne Inc	17,533	14,935
500 Pembina Pipeline Corp	17,113	16,535
350 Total S A Sponsored ADR	18,729	19,502
575 Blackstone Mortgage	17,067	18,302
250 Extra Space Storage	17,950	20,398
500 JP Morgan Chase	18,269	50,305
200 PNC Finl Svcs Grp	23,462	27,358
1,100 Umpoua Holdings Inc	17,531	22,506
625 GlaxOsmithkline ADR	24,980	22,769
225 Johnson & Johnson	27,003	31,367
75 Lockheed Martin Corp	20,352	23,112
300 Siemes AG	18,175	21,406
175 Union Pacific	16,487	20,263
150 Alexandria Real Estate Equities	17,856	18,594
200 Crown Castle Intl Corp	17,315	21,416
400 DCT Industrial Trust	18,332	23,208
475 Douglas Emmett Inc	17,109	18,900
1,300 Host Hotels & Resorts	23,062	25,428
500 Iron Mountain Inc	16,335	20,000
1,300 Physicians Realty Trust	23,372	22,594
575 Prologis Inc	27,929	37,134
750 Weyerhauser Co	23,726	26,932
750 Cisco Systems Inc	15,785	25,612
750 Maxim Integrated Prods	29,774	39,405
475 Microsoft Corp	12,413	39,511
400 Paychex	23,778	25,516
475 Qualcomm Inc	31,219	24,230
300 Western Digital Corp	18,377	26,781
475 Ameren Corp	23,466	29,445
275 Black Hills Corp	16,437	17,947

The Spitzer Trust
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 Corporate Stock
 October 31, 2017

Attachment B

250 DTE Energy Holding	24,541	27,615
725 Exelon Corp	23,394	29,152
250 Nextera Energy	29,577	38,767
325 WEC Energy	17,950	21,902
35 Allergen PLC	25,328	22,498
7,000 Ionis Pharmaceuticals	59,480	399,770
550 Agnico Eagle Mines	26,222	24,547
212 Agrium Inc	20,731	23,091
605 AT&T Inc	22,438	20,358
300 Church & Dwight	13,076	13,551
350 Dentsply Sirona Inc	20,589	21,374
404 Jacobs Engr Group	22,114	23,517
100 Nestle S A	7,011	8,417
494 CBS Corp	31,156	27,723
425 Comcast Corp	16,649	15,313
240 CVS Health Corp	18,539	16,447
231 Deluxe Corp	16,496	16,089
400 Disney Walt Co	10,394	39,124
300 Lennar Corp	12,359	16,701
215 Lowes Cos	16,432	17,189
125 Marriott Intl	9,183	14,935
250 Nike Inc	12,704	13,748
993 Regal Entertainment Group	14,537	16,236
1,550 Cabot Oil & Gas	33,798	42,935
425 Devon Energy	17,636	15,683
325 Enbridge Inc	13,516	12,499
225 EOG Resources	20,809	22,471
868 Willaima Cos	26,547	24,738
365 American Intl Group	22,580	23,583
300 Athene Holding	15,520	15,639
75 Chubb Limited	9,404	11,311
175 CME Group	20,379	24,005
500 JP Morgan Chase	18,839	50,305
150 Moodys Corp	15,012	21,361
400 Transunion	13,836	20,996
55 Allergen PLC	11,997	9,748
150 Danaher Corp	12,110	13,841
150 Edwards Lifesciences Corp	13,978	15,334
164 Gilead Sciences	11,713	12,293
100 Johnson & Johnson	11,956	13,941
1,000 Pfizer Inc	4,963	35,060
150 Zimmer Biomet Hldgs	15,713	18,243
523 CSX Corp	24,388	26,375
60 Fedex Corp	11,084	13,549
50 Roper Technologies	8,972	12,908

The Spitzer Trust
11-2419181
Corporate Stock
October 31, 2017

Attachment B

50 Alphabet Inc	37,637	50,832
100 Analog Devices Inc	8,212	9,130
100 Apple Inc	11,089	16,904
150 ASML Holding	15,208	27,113
225 CDW Corp	10,031	15,750
488 Cisco Systems Inc	15,417	16,665
200 Fidelity National Informtion System	15,344	18,552
100 Fiserv Inc	9,903	12,943
100 Intuit	10,862	15,102
95 IPG Photonics Corp	9,061	20,226
379 Leidos	17,394	23,695
116 L3 Technologies Inc	17,768	21,713
94 Microsoft Corp	5,961	7,819
447 Motorola Solutions Inc	35,913	40,471
459 Roger Communications Inc	21,986	23,822
100 Texas Instruments Inc	8,271	9,669
295 American Elec Pwr	17,785	21,951
576 Exelon Corp	17,802	23,161
575 Nextera Energy Partners	15,818	22,621
959 NRG Energy Inc	16,357	23,975
Total (to Form 990 PF, Part II, line 10B)	<u>\$2,647,784</u>	<u>\$3,519,796</u>

The Spitzer Trust
11-2419181
Corporate Bonds
October 31, 2017

Attachment C

<u>Quantity</u>	<u>Description</u>	<u>Book Value</u>	<u>Fair Market Value</u>
15,000	General Electric Co Note	15,058	15,054
15,000	Susco Corp Note	15,150	15,150
15,000	United Healthcare Group Note	15,188	15,189
15,000	JPMorgan Chase Note	15,007	15,019
15,000	Citigroup Inc Note	15,019	15,036
15,000	GlaxoSmithkline Note	15,333	15,334
15,000	Roper Technologies Note	15,029	15,037
15,000	Deere John Note	15,000	15,033
15,000	Edwards Lifesciences Corp Note	15,132	15,142
15,000	Intercontinental Exchange Bond	15,116	15,117
15,000	American Honda Fin Note	15,000	15,034
15,000	Dominion Energy Inc Note	14,990	14,963
10,000	Toronto Dominion Bank Note	10,053	10,088
15,000	Legg Mason Inc Note	15,131	15,166
15,000	Morgan Stanley Note	15,031	15,090
15,000	American Express Note	15,005	15,081
15,000	Abbott Labs Note	14,985	15,093
15,000	Progress Energy Note	15,832	15,850
20,000	Goldman Sachs Group Note	20,000	20,154
10,000	Caterpillar Finc Svs Note	9,989	10,041
15,000	Stryker Corp Note	15,739	15,743
20,000	International Business Machines Note	20,000	20,067
20,000	Wells Fargo Note	20,020	20,208
15,000	Adobe Sys Note	15,861	15,900
15,000	Comcast Corp Note	16,045	16,112
15,000	Novartis Capital Note	15,852	15,914
15,000	Energy Transfer Partners Note	15,395	15,661
10,000	Bunge LTD Note	10,303	10,253
15,000	Verizon Communications Note	15,835	16,131
15,000	AT&T Inc Note	15,618	16,056
10,000	American Tower Corp Note	10,347	10,293
20,000	Fluor Corp Note	20,918	20,627
15,000	Express Scripts Hldg Note	15,880	16,200
15,000	Lincoln Natl Corp Note	15,746	15,946
2,000	Western Un Co Notre	20,459	20,351
15,000	Phillips 66 Note	15,979	16,068
15,000	Fidelity Natl Information Svs Note	15,942	16,210
Total (to Form 990 PF, Part II, line 10C)		<u>572,987</u>	<u>575,411</u>

The Spitzer Trust
11-2419181
Government Obligations
October 31, 2017

Attachment D

<u>Quantity</u> <u>Description</u>	<u>Book Value</u>	<u>Fair Market Value</u>
25000 United States Treasury Note	25,141	25,125
25000 United States Treasury Note	25,465	25,390
Total (to Form 990 PF, Part II, line 10A)	<u>\$50,606</u>	<u>\$50,515</u>

Attachment E

Other Investments

RP Hampton Center partnership	<u>500,000</u>	<u>205,126</u>
Total (to Form 990 PF, Part II, line 13)	<u>\$500,000</u>	<u>\$205,126</u>

The Spitzer Trust

November 1, 2016 - October 31, 2017

11-2419181

Form 990-PF	Dividends and Interest from Securities			Statement 1
	a	b	c	d
Source:	Revenue per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
Stifel Nicolaus	\$1,137	\$1,137		
Neuberger Berman	85,858	85,858		
Total (to Form 990-PF Part I, line 4)	\$86,995	\$86,995		

Form 990-PF	Accounting Fees			Statement 2
	a	b	c	d
Description	Expenses per Books	Net Investment Income	Adjusted Net Income	Charitable Purpose
Accounting and Tax Preparation	\$1,250	\$1,250		
Total (to Form 990-PF Part 1, line 16b)	\$1,250	\$1,250		

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
Nueberger Berman	\$52,013	\$52,013		
Total to Form 990-PF Part I, line 16c	\$52,013	\$52,013		

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	\$250	\$250		
Total (to Form 990-PF Part I, line 23)	\$250	\$250		