Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation

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

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

OMB No 1545-0052

2009

For calendar year 2009, or tax year beginning , and ending

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

Use the IRS label. Otherwise, print or type. See Specific Instructions.

Name of foundation
DAVID & SHEILA CORNSTEIN FOUNDATION
C/O TROUTMAN SANDERS LLP

Number and street (or P O box number if mail is not delivered to street address) | Room/suite
405 LEXINGTON AVENUE

City or town, state, and ZIP code
NEW YORK, NY 10174-0208

A Employer identification number
13-3519327

B Telephone number
212-6323787

C 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 ▶ ☐

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

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ▶$ 224,682.

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

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))

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc, received	87,788.		N/A	
	2 Check ▶ ☐ if the foundation is not required to attach Sch. B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	2,179.	2,179.		STATEMENT 2
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10	<43,356.>			STATEMENT 1
	b Gross sales price for all assets on line 6a 240,476.				
	7 Capital gain net income (from Part IV, line 2)		0.		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss)				
	11 Other income	100.	100.		STATEMENT 3
	12 Total. Add lines 1 through 11	46,711.	2,279.		
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc.	0.	0.		0.
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees				
	b Accounting fees STMT 4	2,750.	1,375.		1,375.
	c Other professional fees				
	17 Interest				
	18 Taxes STMT 5	50.	0.		50.
	19 Depreciation and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses STMT 6	1,426.	1,426.		0.
	24 Total operating and administrative expenses. Add lines 13 through 23	4,226.	2,801.		1,425.
	25 Contributions, gifts, grants paid	70,295.			70,295.
	26 Total expenses and disbursements. Add lines 24 and 25	74,521.	2,801.		71,720.
	27 Subtract line 26 from line 12.				
	a Excess of revenue over expenses and disbursements	<27,810.>			
	b Net investment income (if negative, enter -0-)		0.		
	c Adjusted net income (if negative, enter -0-)			N/A	

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

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	25,136.	32,035.	32,035.
	2 Savings and temporary cash investments	41,657.	3,898.	3,898.
	3 Accounts receivable ▶			
	Less allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10a Investments - U S and state government obligations			
	b Investments - corporate stock STMT 7	220,409.	296,913.	117,995.
	c Investments - corporate bonds			
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	12 Investments - mortgage loans			
	13 Investments - other STMT 8	144,016.	70,562.	70,754.
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation ▶			
	15 Other assets (describe ▶)			
	16 **Total assets** (to be completed by all filers)	431,218.	403,408.	224,682.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable			
	22 Other liabilities (describe ▶)			
	23 **Total liabilities** (add lines 17 through 22)	0.	0.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ 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 ▶ [X] and complete lines 27 through 31.			
	27 Capital stock, trust principal, or current funds	0.	0.	
	28 Paid-in or capital surplus, or land, bldg , and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	431,218.	403,408.	
	30 **Total net assets or fund balances**	431,218.	403,408.	
	31 **Total liabilities and net assets/fund balances**	431,218.	403,408.	

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	431,218.
2	Enter amount from Part I, line 27a	2	<27,810.>
3	Other increases not included in line 2 (itemize) ▶	3	0.
4	Add lines 1, 2, and 3	4	403,408.
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	403,408.

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	SCHEDULE #1	P	VARIOUS	01/07/09
b	SCHEDULE #1	P	VARIOUS	VARIOUS
c	SCHEDULE #2	P	VARIOUS	VARIOUS
d	SCHEDULE #2	P	VARIOUS	VARIOUS
e	CAPITAL GAINS DIVIDENDS			

	(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	7,375.		2,789.	4,586.
b	45,438.		52,879.	<7,441.>
c	73,423.		106,970.	<33,547.>
d	114,172.		117,860.	<3,688.>
e	68.			68.

	Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
	(i) F M V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a				4,586.
b				<7,441.>
c				<33,547.>
d				<3,688.>
e				68.

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	<40,022.>
3	Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8	3	N/A

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

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

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

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

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

1 Enter the appropriate amount in each column for each year, see 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))
2008	112,183.	268,653.	.417576
2007	108,254.	358,380.	.302065
2006	132,203.	386,550.	.342008
2005	124,747.	481,774.	.258933
2004	107,108.	702,729.	.152417

2	Total of line 1, column (d)	2	1.472999
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	.294600
4	Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	169,045.
5	Multiply line 4 by line 3	5	49,801.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	0.
7	Add lines 5 and 6	7	49,801.
8	Enter qualifying distributions from Part XII, line 4	8	71,720.

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

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

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ ☐ and enter "N/A" on line 1. Date of ruling or determination letter _____ (attach copy of letter if necessary-see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b	1	0.
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	0.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	0.
5	**Tax based on investment income.** Subtract line 4 from line 3. If zero or less, enter -0-	5	0.
6	Credits/Payments		
a	2009 estimated tax payments and 2008 overpayment credited to 2009 — 6a: 928.		
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	928.
8	Enter any **penalty** for underpayment of estimated tax. Check here ☐ 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	
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	928.
11	Enter the amount of line 10 to be **Credited to 2010 estimated tax** ▶ 928. **Refunded** ▶	11	0.

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? *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?	1c		X
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ▶ $ 0. (2) On foundation managers ▶ $ 0.			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ 0.			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities.*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year? N/A	4b		
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T.*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col. (c), and Part XV.*	7	X	
8a	Enter the states to which the foundation reports or with which it is registered (see instructions) ▶ NY			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (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 STMT 9	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		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ CBIZ MAHONEY COHEN Telephone no ▶ 212-790-5700

Located at ▶ 1065 AVENUE OF AMERICAS NY NY ZIP+4 ▶ 10018

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here ▶ ☐

and enter the amount of tax-exempt interest received or accrued during the year ▶ 15 N/A

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

			Yes	No
	File 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).			
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days) ☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? N/A	1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?	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 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? ☐ Yes ☒ No			
	If "Yes," list the years ▶ _____, _____, _____, _____			
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions) N/A	2b		
c	If the provisions of section 4942(a)(2) are being applied to **any** of the years listed in 2a, list the years here ▶ _____, _____, _____, _____			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2009 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 2009.)* N/A	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?	4b		X

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

5a	During the year did the foundation pay or incur any amount to			
	(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?	☐ Yes ☒ No		
	(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive?	☐ Yes ☒ No		
	(3) Provide a grant to an individual for travel, study, or other similar purposes?	☐ Yes ☒ No		
	(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)?	☐ Yes ☒ No		
	(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?	☐ Yes ☒ No		
b	If any answer is "Yes" to 5a(1)-(5), did **any** of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see instructions)? N/A		5b	
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐			
c	If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? N/A	☐ Yes ☐ No		
	If "Yes," attach the statement required by Regulations section 53.4945-5(d).			
6a	Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	☐ Yes ☒ No		
b	Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		6b	X
	If "Yes" to 6b, file Form 8870.			
7a	At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?	☐ Yes ☒ No		
b	If yes, did the foundation receive any proceeds or have any net income attributable to the transaction? N/A		7b	

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

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

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
DAVID CORNSTEIN 700 PARK AVENUE APT 17A NEW YORK, NY 10018	TRUSTEE 0.00	0.	0.	0.
SHEILA CORNSTEIN 700 PARK AVENUE APT 17A NEW YORK, NY 10018	TRUSTEE 0.00	0.	0.	0.

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

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

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

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

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

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

Total number of others receiving over $50,000 for professional services ▶ 0

Part IX-A **Summary of Direct Charitable Activities**

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.	Expenses
1 N/A	
2	
3	
4	

Part IX-B **Summary of Program-Related Investments**

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

Form **990-PF** (2009)

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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	133,772.
b	Average of monthly cash balances	1b	37,847.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	171,619.
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	171,619.
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	2,574.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	169,045.
6	Minimum investment return. Enter 5% of line 5	6	8,452.

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	8,452.
2a	Tax on investment income for 2009 from Part VI, line 5	2a			
b	Income tax for 2009 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	0.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	8,452.
4	Recoveries of amounts treated as qualifying distributions			4	0.
5	Add lines 3 and 4			5	8,452.
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	8,452.

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	71,720.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	71,720.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b	5	0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	71,720.

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 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				8,452.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years _____, _____, _____		0.		
3 Excess distributions carryover, if any, to 2009				
a From 2004 73,244.				
b From 2005 100,744.				
c From 2006 113,429.				
d From 2007 92,197.				
e From 2008 98,814.				
f Total of lines 3a through e	478,428.			
4 Qualifying distributions for 2009 from Part XII, line 4 ▶ $ 71,720.				
a Applied to 2008, 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 2009 distributable amount				8,452.
e Remaining amount distributed out of corpus	63,268.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e. Subtract line 5	541,696.			
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 2008 Subtract line 4a from line 2a Taxable amount - see instr			0.	
f Undistributed income for 2009 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	73,244.			
9 **Excess distributions carryover to 2010.** Subtract lines 7 and 8 from line 6a	468,452.			
10 Analysis of line 9.				
a Excess from 2005 100,744.				
b Excess from 2006 113,429.				
c Excess from 2007 92,197.				
d Excess from 2008 98,814.				
e Excess from 2009 63,268.				

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

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling ▶

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

	Tax year	Prior 3 years			
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	(e) Total
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon a "Assets" alternative test - enter. (1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test - enter: (1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year-see the 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))

SEE STATEMENT 10

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 ▶ [X] 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 of the person to whom applications should be addressed

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

c Any submission deadlines

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

Part XV Supplementary Information (continued)

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

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
SCHEDULE #3	NONE	EXEMPT	GENERAL, HEALTH, EDUCATIONAL, RELIGIOUS	70,295.
Total			▶ 3a	70,295.
b *Approved for future payment*				
NONE				
Total			▶ 3b	0.

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.	Unrelated business income (a) Business code	Unrelated business income (b) Amount	Excluded by section 512, 513, or 514 (c) Exclusion code	Excluded by section 512, 513, or 514 (d) Amount	(e) Related or exempt function income
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities			18	2,179.	
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income			14	100.	
8 Gain or (loss) from sales of assets other than inventory			18	<43,356.>	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue					
a					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)		0.		<41,077.>	0.
13 Total. Add line 12, columns (b), (d), and (e)				13	<41,077.>

(See worksheet in line 13 instructions to verify calculations)

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

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

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

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

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

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

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

b If "Yes," complete the following schedule

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

Sign Here

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

Signature of officer or trustee — Date 4/27/10 — Title

Paid Preparer's Use Only

Preparer's signature — Date 4/23/10 — Check if self-employed ☐ — Preparer's identifying number NV36945

Firm's name (or yours if self-employed), address, and ZIP code: CBIZ MHM, LLC, 1065 AVENUE OF THE AMERICAS, NEW YORK, NY 10018 — EIN — Phone no 212-790-5700

Form 990-PF (2009)

923622
02-02-10

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

Schedule of Contributors

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

OMB No 1545-0047

2009

Name of the organization
DAVID & SHEILA CORNSTEIN FOUNDATION
C/O TROUTMAN SANDERS LLP

Employer identification number
13-3519327

Organization type (check one):

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

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

General Rule

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

Special Rules

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

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

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

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

Name of organization
DAVID & SHEILA CORNSTEIN FOUNDATION
C/O TROUTMAN SANDERS LLP

Employer identification number
13-3519327

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	DAVID CORNSTEIN 700 PARK AVENUE APT 17A NEW YORK, NY 10018	$ 34,720.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
2	DAVID CORNSTEIN 700 PARK AVENUE APT 17A NEW YORK, NY 10018	$ 30,068.	Person ☐ Payroll ☐ Noncash ☒ (Complete Part II if there is a noncash contribution.)
3	DAVID CORNSTEIN 700 PARK AVENUE APT 17A NEW YORK, NY 10018	$ 23,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution.)

Name of organization
DAVID & SHEILA CORNSTEIN FOUNDATION
C/O TROUTMAN SANDERS LLP

Employer identification number
13-3519327

Part II Noncash Property (see instructions)

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
1	LOEWS CORP, 975 SHS	$ 34,720.	10/29/09
2	LOEWS CORP, 835 SHS	$ 30,068.	11/08/09
		$	
		$	
		$	
		$	

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

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SCHEDULE #1	PURCHASED	VARIOUS	01/07/09

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
7,375.	6,123.	0.	0.	1,252.

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SCHEDULE #1	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
45,438.	52,879.	0.	0.	<7,441.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SCHEDULE #2	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
73,423.	106,970.	0.	0.	<33,547.>

(A) DESCRIPTION OF PROPERTY	MANNER ACQUIRED	DATE ACQUIRED	DATE SOLD
SCHEDULE #2	PURCHASED	VARIOUS	VARIOUS

(B) GROSS SALES PRICE	(C) COST OR OTHER BASIS	(D) EXPENSE OF SALE	(E) DEPREC.	(F) GAIN OR LOSS
114,172.	117,860.	0.	0.	<3,688.>

CAPITAL GAINS DIVIDENDS FROM PART IV	68.
TOTAL TO FORM 990-PF, PART I, LINE 6A	<43,356.>

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
SALOMON SMITH BARNEY 33618	113.	0.	113.
SALOMON SMITH BARNEY 3490	209.	0.	209.
SALOMON SMITH BARNEY 5922	1,857.	0.	1,857.
SALOMON SMITH BARNEY 5922	6.	6.	0.
SALOMON SMITH BARNEY 5922	62.	62.	0.
TOTAL TO FM 990-PF, PART I, LN 4	2,247.	68.	2,179.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME
REBATE CREDIT	100.	100.	
TOTAL TO FORM 990-PF, PART I, LINE 11	100.	100.	

FORM 990-PF ACCOUNTING FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
CBIZ	2,750.	1,375.		1,375.
TO FORM 990-PF, PG 1, LN 16B	2,750.	1,375.		1,375.

FORM 990-PF TAXES STATEMENT 5

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
STATE FILING FEES	50.	0.		50.
TO FORM 990-PF, PG 1, LN 18	50.	0.		50.

FORM 990-PF OTHER EXPENSES STATEMENT 6

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST-MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INVESTMENT FEES	1,420.	1,420.		0.
BANK CHARGES	6.	6.		0.
TO FORM 990-PF, PG 1, LN 23	1,426.	1,426.		0.

FORM 990-PF CORPORATE STOCK STATEMENT 7

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
SALOMON SMITH BARNEY	249,277.	66,002.
SALOMON SMITH BARNEY	47,636.	51,993.
TOTAL TO FORM 990-PF, PART II, LINE 10B	296,913.	117,995.

FORM 990-PF OTHER INVESTMENTS STATEMENT 8

DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
SALOMON SMITH BARNEY	COST	70,562.	70,754.
TOTAL TO FORM 990-PF, PART II, LINE 13		70,562.	70,754.

FORM 990-PF LIST OF SUBSTANTIAL CONTRIBUTORS PART VII-A, LINE 10 STATEMENT 9

NAME OF CONTRIBUTOR	ADDRESS
DAVID CORNSTEIN	700 PARK AVENUE APT 17A NEW YORK, NY 10018

FORM 990-PF PART XV - LINE 1A LIST OF FOUNDATION MANAGERS STATEMENT 10

NAME OF MANAGER

DAVID CORNSTEIN
SHEILA CORNSTEIN

schedule #8

DAVID & SHEILA CORNSTEIN *Account number 232-3490C-15 444*

GAIN/LOSS DETAILS

Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor. Absent specific instructions from you, trades are allocated using the FIFO (first-in/first-out) method. Day traders should therefore not rely on this section for day trading results. Your reinvestment activity has been summarized. Single lines have been designated to distinguish Short-term (ST) or Long-term (LT) information. Detailed information will be available at year-end in your 1099 Year-end summary.

Realized gain or loss

Description	Original trade date	Closing trade date	Quantity	Purchase price	Sale price	Cost basis	Proceeds	Realized gain or (loss)	
ABB LTD, ZUERICH-CHF		01/07/09 Sold	500	Please provide	$ 14.75	2,789	$ 7,374.95	4,585.95	LT
PROSHARES ULTRASHORT S&P500	10/24/08	03/12/09 Sold	17	106.935	96.519	1,817.90	1,640.81	(177.09)	ST
	11/20/08	03/12/09 Sold	133	116.48	96.519	15,491.84	12,836.95	(2,654.89)	ST
PROSHARES ULTRASHORT S&P500	11/20/08	03/17/09 Sold	60	116.48	87.27	6,988.80	5,236.17	(1,752.63)	ST
PROSHARES ULTRASHORT S&P500	11/20/08	03/20/09 Sold	25	116.48	83.552	2,912.00	2,088.79	(823.21)	ST
	01/16/09	03/20/09 Sold	100	82.066	83.552	8,206.60	8,355.17	148.57	ST
	02/18/09	03/20/09 Sold	4.8426	86.406	83.552	418.43	404.62	(13.81)	ST
	Reinvestments	03/20/09 Sold	37.1574	72.67	83.552	2,700.26	3,104.56	404.30	ST
PROSHARES ULTRASHORT S&P500	02/18/09	04/02/09 Sold	166	$ 86.406	$ 70.906	$ 14,343.40	$ 11,770.43	($ 2,572.97)	ST
Total realized gain or (loss) - this period						$ 0.00	$ 0.00	$ 0.00	
Total Long Term - year-to-date						2,789	7,374.95	4,585.95	
Total Short Term - year-to-date						52,879.23	45,437.50	($ 7,441.73)	

MorganStanley SmithBarney

Corrected Copy as of 03/11/10
Ref: 00000378 00004025

Reserved Client Statement 2009 Year End Summary

schedule #2

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Short Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than $20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor.

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000010	17	ALCON INC MorganStanley SmithBarney LLC acted as your agent in this transaction.	06/18/09	09/30/09	$ 2,351.83	$ 1,903.70		$ 448 13
125000020	5.2599	ALLIANZ NFJ LARGE CAP	06/24/08	06/18/09	56.28	93.16	(36.88)	
	7.1611	VALUE FD CL P	09/18/08		76.62	113.81	(37.19)	
	2.1856	CONFIRM #500091690067610	12/18/08		23.39	24.21	(.82)	
	6.5678		03/25/09		70 28	59.53		10.75
125000030	3.971	ALLIANZ NFJ LARGE CAP	06/18/09	10/28/09	48.35	42.49		5.86
	.018	VALUE FD CL P CONFIRM #500093010199388 MorganStanley SmithBarney LLC	09/17/09			.22	(.22)	
125000040	30	ANGLOGOLD ASHANTI LTD ADR	06/18/09	07/08/09	1,001.31	1,106.47	(105.16)	
125000050	39	ANGLOGOLD ASHANTI LTD	06/18/09	09/30/09	1,582 74	1,438.42		144.32
	35	ADR MorganStanley SmithBarney LLC acted as your agent	09/02/09		1,420.40	1,283.95		136 45
125000060	85	BEST BUY INC MorganStanley SmithBarney LLC acted as your agent in this transaction.	11/17/09	11/23/09	3,732.87	3,586.75		146 12
125000080	90	BRISTOL MYERS SQUIBB CO MorganStanley SmithBarney LLC acted as your agent in this transaction.	06/18/09	09/30/09	2,022 27	1,841.18		181.09
125000090	92	CISCO SYS INC MorganStanley SmithBarney LLC acted as your agent in this transaction.	06/18/09	09/30/09	2,162.86	1,746.90		415.96
125000100	38	COCA-COLA CO MorganStanley SmithBarney LLC acted as your agent in this transaction.	06/18/09	09/30/09	2,037.22	1,860.40		176.82

2009 YEAR END SUMMARY

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Short Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000120	36	CURRENCYSHARES CDN DLR TR CDN DOLLAR SHS Morgan Stanley Smi th Barney LLC acted as yo	06/18/09	08/26/09	$ 3,273.74	$ 3,192 93		$ 80.81
125000130	70.57 1.372	DELAWARE EMERGING MARKETS FUND CL A CONFIRM #500091690067651	12/26/08 12/26/08	06/18/09	702.88 13.66	531.39 10.33		171.49 3.33
125000140	7.699 13 948	EUROPACIFIC GROWTH FUND CLASS F	12/24/08 12/24/08	06/18/09	237.59 430.44	207 03 375.06		30.56 55.38
125000150	57	GLAXOSMITHKLINE PLC SP ADR	06/18/09	06/22/09	2,030.63	2,076.94	(46.31)	
125000160	104	INTEL CORP MorganStanley SmithBarney LLC acted as your agent In this transaction.	06/18/09	09/30/09	2,028.98	1,675.23		353.75
125000170	346	ISHARES MSCI JAPAN INDEX FUND	06/18/09	08/12/09	3,463.89	3,255.00		208.89
125000180	30	ISHARES TRFTSE XINHUA HK CHINA 25 INDEX	06/18/09	07/08/09	1,082.09	1,118.64	(36.55)	
125000190	55 25	ISHARES TRFTSE XINHUA HK CHINA 25 INDEX Morgan Stanley Smi th Barney LLC acted as yo	06/18/09 08/21/09	08/31/09	2,151.46 977 94	2,050.84 1,017 72	(39.78)	100.62
125000200	15	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/12/09	09/29/09	581.06	537.80		43.26
125000210	75 15	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/12/09 08/19/09	10/29/09	2,900.14 580.03	2,688 99 526.85		211.15 53 18
125000220	85 15	ISHARES MSCI EMERGING MKTS INDEX FD MorganStanley SmithBarney LLC acted as your agent	08/19/09 08/21/09	12/08/09	3,477.19 613.62	2,985.46 544 58		491.73 69.04
125000230	25	ISHARES S&P LATIN AMERICA 40 INDEX FUND MorganStanley SmithBarney LLC acted as your agent	06/18/09	10/29/09	1,100.01	864.65		235.36

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Short Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000240	21	ISHARES TRUST US FIN SVC	06/18/09	10/21/09	$ 1,202.61	$ 952 25		$ 250.36
	19	MorganStanley SmithBarney LLC	07/27/09		1,088.08	905.06		183.02
		acted as your agent						
		In this transaction.						
125000250	1	ISHARES TRUST US FIN SVC	07/27/09	11/09/09	54.88	47.63		7.25
	10	MorganStanley SmithBarney LLC	08/03/09		548.78	504.37		44 41
	15	acted as your agent	08/05/09		823.17	785.86		37.31
	34	In this transaction.	08/19/09		1,865.85	1,778.53		87.32
125000260	26	ISHARES TRUST US FIN SVC	08/19/09	12/08/09	1,385.45	1,360.06		25.39
	40	MorganStanley SmithBarney LLC	10/07/09		2,131.47	2,244.61	(113.14)	
		acted as your agent						
		In this transaction.						
125000270	30	ISHARES TRUST US BASIC MAT	07/27/09	10/29/09	1,628.36	1,454.27		174 09
		MorganStanley SmithBarney LLC						
		acted as your agent						
		In this transaction.						
125000290	1,304.031	LEUTHOLD GRIZZLY SHORT FUND	08/31/09	09/22/09	6,076.78	6,715.76	(638.98)	
		CONFIRM #007084027						
		Morgan Stanley Smi						
		th Barney LLC acted as yo						
125000300	751.073	LEUTHOLD GRIZZLY SHORT FUND	09/18/09	10/14/09	3,484.98	3,500.00	(15.02)	
		CONFIRM #007086458						
		MorganStanley SmithBarney LLC						
		acted as your agent						
125000310	787	LORD ABBETT SHORT DURATION	11/17/09	12/04/09	3,588.72	3,596 59	(7.87)	
		INCOME FUND CLASS A						
		CONFIRM #500093380346544						
		MorganStanley SmithBarney LLC						
125000320	94	MICROSOFT CORP	06/18/09	09/30/09	2,421.40	2,193.77		227 63
		MorganStanley SmithBarney LLC						
		acted as your agent						
		In this transaction.						
125000330	54	NESTLE S A SPONSORED ADR	06/18/09	09/30/09	2,298.81	1,968.30		330.51
		MorganStanley SmithBarney LLC						
		acted as your agent						
		In this transaction.						
125000340	113	NOKIA CORP SPONSORED ADR	06/18/09	07/16/09	1,507.30	1,692.51	(185.21)	
125000350	26	NUCOR CORP	06/18/09	07/20/09	1,164.80	1,209.48	(44.68)	

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Short Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000360	641.756	PIMCO FDS - INVESTMENT GRADE CORP BOND P CONFIRM #500093010216596 MorganStanley SmithBarney LLC	06/18/09	10/28/09	$ 7,194 08	$ 6,578.00		$ 616.08
125000370	96	PROSHARES SHORT S&P500	06/18/09	07/30/09	5,779.19	6,340.92	(561.73)	
125000380	7 1574	PROSHARES ULTRASHORT S&P500	02/18/09	06/18/09	400 40	618.44	(218 04)	
	159.8426		03/02/09		8,941 91	16,996 00	(8,054 09)	
125000390	.1574	PROSHARES ULTRASHORT S&P500 LIQUIDATION OF FRACTIONAL SHS	03/02/09	06/19/09	8 82	16.74	(7.92)	
125000400	24	RESEARCH IN MOTION LTD-CAD CGMI AND/OR ITS AFFILIATES	06/18/09	06/22/09	1,644.02	1,841 03	(197 01)	
125000410	55	SPDR SER TR S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	10/29/09	1,559 09	1,552.50		6.59
125000420	70	SPDR SER TR S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	12/08/09	1,862.62	1,975.91	(113 29)	
125000430	120	SPDR SER TR S&P OIL & GAS EQUIP & SVCS ETF MorganStanley SmithBarney LLC acted as your agent	09/22/09	12/17/09	3,379.57	3,387.28	(7.71)	
125000440	20	UNITED STATES STEEL CORP NEW Morgan Stanley Smi th Barney LLC acted as yo ur agent in this transa	07/15/09	08/31/09	869 82	692.85		176.97
125000450	15	UNITED STATES STEEL CORP NEW Morgan Stanley Smi th Barney LLC acted as yo ur agent in this transa	07/15/09	08/31/09	652 37	519.64		132 73
125000460	20	VISA INC COM CL A MorganStanley SmithBarney LLC acted as your agent In this transaction.	07/16/09	09/30/09	1,382.29	1,288 92		93 37

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Short Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000470	1,530.568	VIRTUS MULTI-SECTOR SHORT TERM FUND CLASS A CONFIRM #500093010208122 MorganStanley SmithBarney LLC	06/18/09	10/28/09	$ 6,994.70	$ 6,382.47		$ 612.23
Total					**$ 114,172 09**	**$ 117,860.38**	**($ 10,467.60)**	**$ 6,779 31**

< 3,688.29 >

Details of Long Term Gain (Loss) 2009

This section shows your sales of securities during the year. The "Sale Proceeds" column excludes any accrued income you may have received. In addition, although cash in lieu less than $20 is not included on Form 1099-B (if applicable), it is included in this section. Please note, this material is being prepared for informational purposes only and should not be used for tax preparation without the assistance of your tax advisor.

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000020	9.8024	ALLIANZ NFJ LARGE CAP	06/26/07	06/18/09	$ 104.89	$ 208.38	($ 103.49)	
	322.6749	VALUE FD CL P	05/08/07		3,452.62	6,771.05	(3,318.43)	
	9.1175	CONFIRM #500091690067610	10/18/07		97.56	191.41	(93.85)	
	18.0066		12/18/07		192.67	357.35	(164.68)	
	20.4403		12/18/07		218.71	405.65	(186.94)	
	11.0532		12/26/07		118.27	214.53	(96.26)	
	4.5238		03/25/08		48.40	80 86	(32.46)	
	269.4629		05/27/08		2,883.25	5,000.00	(2,116.75)	
125000070	742.8935	BLACKROCK GLOBAL ALLOCATION FD	05/08/07	06/18/09	11,797.15	14,379.43	(2,582.28)	
	13.1354	INC CL INSTITUTIONAL	07/24/07		208.59	263.35	(54.76)	
	23.0621	CONFIRM #500091690067297	12/19/07		366.23	452.87	(86.64)	
	6.9211		12/19/07		109.91	135.91	(26.00)	
	45.5448		12/19/07		723.25	894.37	(171.12)	
	603.4431		01/29/08		9,582.67	11,716.60	(2,133.93)	
125000110	1,059.308	COLUMBIA MARSICO 21ST CENTURY FD CL A CONFIRM #500091690067701	01/29/08	06/18/09	9,639.70	16,059.10	(6,419.40)	
125000130	645.678	DELAWARE EMERGING MARKETS FUND CL A CONFIRM #500091690067651	01/29/08	06/18/09	6,430.96	9,995.09	(3,564.13)	
125000140	270.419	EUROPACIFIC GROWTH FUND CLASS F	01/29/08	06/18/09	8,345.13	12,563.66	(4,218 53)	

MorganStanley SmithBarney

Corrected Copy as of 03/11/10
Ref: 00000378 00004030

Reserved Client Statement 2009 Year End Summary

DAVID & SHEILA CORNSTEIN
Account Number 232-5922D-14 444

Details of Long Term Gain (Loss) 2009 - *continued*

Reference number	Quantity	Security Description	Opening Trade Date	Closing Trade Date	Sale Proceeds	Cost	(Loss)	Gain
125000280	996	IVY ASSET STRATEGY FUND CLASS A CONFIRM #500091690067347	05/27/08	06/18/09	$ 19,103.28	$ 27,280.44	($ 8,177 16)	
Total					**$ 73,423.24**	**$ 106,970.05**	**($ 33,546.81)**	

2009

SCHEDULE E

2009 - Foundation - Sheila & David Cornstein

2/6	1248	Park East Synagogue	12,500.00
2/10	1249	Friends of I.D.F.	1,800.00
2/10	1250	Marine Corp Law Enforcement Fund	5,000.00
3/1	1251	American Jewish Comm.	1,000.00
3/1	1252	Jeffrey Modell Foundation	500.00
4/1	1253	Lafayette College	1,000.00
4/1	1254	Mass. General Hosp. Fiverson ALS Clinical Research	500.00
4/2	1255	Food Allergy Inititive	2,000.00
4/2	1256	Albert Einstein College of Medicine	1,000.00
4/2	1257	The Chemotherapy Foundation	1,000.00
4/2	1258	The SAM Fund	500.00
5/1	1259	Lying In Hops. N.Y. Presbyterian	1,000.00
5/1	1260	The Fund for Park Avenue	500.00
5/1	1261	The Lung Cancer Research Fund	1,000.00
5/1	1262	YWL	1,000.00
5/1	1263	Abilities	4,000.00
5/18	1265	Summer on The Hill	500.00
5/18	1266	Southampton Village PBA	500.00
5/18	1267	American Lawyer Media	120.00
5/20	1268	Eugenia & Ronald Strauss Chamber Music Endowment Fund	1,000.00
5/20	1270	Albert Einstein College of Medicine	1,000.00
6/17	1271	Horace Mann School	10,000.00
6/17	1272	Kenny Gordon Foundation	1,000.00
6/23	1273	Dystonia Foundation	1,000.00
7/20	1274	Albert Einstein School of Medicine	1,000.00
8/5	1275	Southampton Fire Dept. Benevolent Assoc.	250.00
9/1	1276	Jewish Guild for the Blind	1,000.00
9/8	1277	The Retreat	500.00
10/1	1278	Williams Syndrome Assoc.	1,000.00
10/1	1279	Breast Cancer Research Fnd.	1,000.00
10/1	1280	American Friends of the Israeli Museum	1,000.00
10/21	1281	Upper East Side Hatzolah	500.00
10/21	1282	Chabad of Southampton Jewish Center	500.00
10/21	1283	Thirteen	150.00
10/26	1284	Lung Cancer - LCRF	500.00
11/19	1286	Food Allergy Initative	2,000.00
11/21	1287	Brigham & Womans Hosp.	1,000.00
12/11	1288	Albert Einstein College of Medicine	125.00
12/12	1289	Kenny Gordon Foundation	1,000.00
12/12	1290	N.Y. Law School	8,000.00
12/12	1291	Met Opera Guild	350.00
12/12	1292	AJC	1,000.00
			70,295.00