

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 01 2007**

THE ERIC TRUMP FOUNDATION
C/O NEIL B FANG
SCHWARTZ & FANG PC
3000 MARCUS AVE STE 2W1
LAKE SUCCESS, NY 11042

Employer Identification Number:
20-8669454
DLN:
17053184096027
Contact Person:
GREGORY K OLWINE ID# 31382
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
April 20, 2007
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2011
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient

Letter 1045 (DO/CG)

THE ERIC TRUMP FOUNDATION

organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Choi".

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC
Statute Extension

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 01 2007**

THE ERIC TRUMP FOUNDATION
725 FIFTH AVE 26TH FLR
NEW YORK, NY 10019

Employer Identification Number:
20-8669454
DLN:
17053184096027
Contact Person: GREGORY K OLWINE ID# 31382
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
April 20, 2007
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2011
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient

Letter 1045 (DO/CG)

THE ERIC TRUMP FOUNDATION

organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in cursive script that reads "Robert Choi".

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC
Statute Extension

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 01 2007**

THE ERIC TRUMP FOUNDATION
C/O STEPHANIE M KEATING
SCHWARTZ & FANG PC
3000 MARCUS AVE STE 2W1
LAKE SUCCESS, NY 11042

Employer Identification Number:
20-8669454
DLN:
17053184096027
Contact Person:
GREGORY K OLWINE ID# 31382
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
April 20, 2007
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2011
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient

Letter 1045 (DO/CG)

RARD 10/30/07

THE ERIC TRUMP FOUNDATION

organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in cursive script that reads "Robert Choi". The signature is written in dark ink and is positioned above the typed name and title.

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC
Statute Extension

**Power of Attorney
 and Declaration of Representative**

OMB No. 1545-0150
 For IRS Use Only
 Received by: _____
 Name _____
 Telephone _____
 Function _____
 Date _____

▶ Type or print. ▶ See the separate instructions.

Part I Power of Attorney

Caution: Form 2848 will not be honored for any purpose other than representation before the IRS.

1 Taxpayer Information. Taxpayer(s) must sign and date this form on page 2, line 9.

Taxpayer name(s) and address THE ERIC TRUMP FOUNDATION 725 FIFTH AVENUE, 26TH FLOOR NEW YORK, NEW YORK 10019	Social security number(s) _____	Employer identification number 20-8669454
	Daytime telephone number (212) 715-7260	Plan number (if applicable)

hereby appoint(s) the following representative(s) as attorney(s)-in-fact:

2 Representative(s) must sign and date this form on page 2, Part II.

Name and address NEIL B FANG ESQ, SCHWARTZ & FANG PC 3000 MARCUS AVENUE, SUITE 2W1 LAKE SUCCESS, NY 11042	CAF No. _____ Telephone No. (516) 488-0100 Fax No. (516) 488-1238 Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address STEPHANIE M KEATING ESQ, SCHWARTZ & FANG PC 3000 MARCUS AVENUE, SUITE 2W1 LAKE SUCCESS, NY 11042	CAF No. 03-0095903R Telephone No. (516) 488-0100 Fax No. (516) 488-1238 Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address	CAF No. _____ Telephone No. _____ Fax No. _____ Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>

to represent the taxpayer(s) before the Internal Revenue Service for the following tax matters:

3 Tax matters

Type of Tax (Income, Employment, Excise, etc.) or Civil Penalty (see the instructions for line 3)	Tax Form Number (1040, 941, 720, etc.)	Year(s) or Period(s) (see the instructions for line 3)
FORMATION OF TAX EXEMPT ENTITY	1023, 8718	2007

4 Specific use not recorded on Centralized Authorization File (CAF). If the power of attorney is for a specific use not recorded on CAF, check this box. See the instructions for Line 4. **Specific uses not recorded on CAF.** ▶

5 Acts authorized. The representatives are authorized to receive and inspect confidential tax information and to perform any and all acts that I (we) can perform with respect to the tax matters described on line 3, for example, the authority to sign any agreements, consents, or other documents. The authority does not include the power to receive refund checks (see line 6 below), the power to substitute another representative, the power to sign certain returns, or the power to execute a request for disclosure of tax returns or return information to a third party. See the line 5 instructions for more information.

Exceptions. An unenrolled return preparer cannot sign any document for a taxpayer and may only represent taxpayers in limited situations. See **Unenrolled Return Preparer** on page 2 of the instructions. An enrolled actuary may only represent taxpayers to the extent provided in section 10.3(d) of Circular 230. See the line 5 instructions for restrictions on tax matters partners.

List any specific additions or deletions to the acts otherwise authorized in this power of attorney: _____

6 Receipt of refund checks. If you want to authorize a representative named on line 2 to receive, **BUT NOT TO ENDORSE OR CASH**, refund checks, initial here _____ and list the name of that representative below.

Name of representative to receive refund check(s) ▶ _____

7 Notices and communications. Original notices and other written communications will be sent to you and a copy to the first representative listed on line 2.


- a If you also want the second representative listed to receive a copy of notices and communications, check this box
- b If you do not want any notices or communications sent to your representative(s), check this box

8 Retention/revocation of prior power(s) of attorney. The filing of this power of attorney automatically revokes all earlier power(s) of attorney on file with the Internal Revenue Service for the same tax matters and years or periods covered by this document. If you do not want to revoke a prior power of attorney, check here

YOU MUST ATTACH A COPY OF ANY POWER OF ATTORNEY YOU WANT TO REMAIN IN EFFECT.

9 Signature of taxpayer(s). If a tax matter concerns a joint return, both husband and wife must sign if joint representation is requested, otherwise, see the instructions. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, or trustee on behalf of the taxpayer, I certify that I have the authority to execute this form on behalf of the taxpayer.

▶ IF NOT SIGNED AND DATED, THIS POWER OF ATTORNEY WILL BE RETURNED.


Signature

6/26/07
Date

PRESIDENT/CHAIRMAN
Title (if applicable)

ERIC TRUMP
Print Name

PIN Number

THE ERIC TRUMP FOUNDATION
Print name of taxpayer from line 1 if other than individual

Signature

Date

Title (if applicable)

Print Name

PIN Number

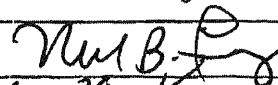
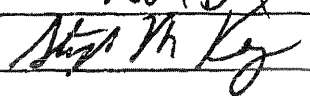
Part II Declaration of Representative

Caution: Students with a special order to represent taxpayers in Qualified Low Income Taxpayer Clinics or the Student Tax Clinic Program, see the Instructions for Part II.

Under penalties of perjury, I declare that:

- I am not currently under suspension or disbarment from practice before the Internal Revenue Service;
- I am aware of regulations contained in Treasury Department Circular No. 230 (31 CFR, Part 10), as amended, concerning the practice of attorneys, certified public accountants, enrolled agents, enrolled actuaries, and others;
- I am authorized to represent the taxpayer(s) identified in Part I for the tax matter(s) specified there; and
- I am one of the following:
 - a Attorney — a member in good standing of the bar of the highest court of the jurisdiction shown below.
 - b Certified Public Accountant — duly qualified to practice as a certified public accountant in the jurisdiction shown below.
 - c Enrolled Agent — enrolled as an agent under the requirements of Treasury Department Circular No. 230.
 - d Officer — a bona fide officer of the taxpayer's organization.
 - e Full-Time Employee — a full-time employee of the taxpayer.
 - f Family Member — a member of the taxpayer's immediate family (i.e., spouse, parent, child, brother, or sister).
 - g Enrolled Actuary — enrolled as an actuary by the Joint Board for the Enrollment of Actuaries under 29 U.S.C. 1242 (the authority to practice before the Service is limited by section 10.3(d) of Treasury Department Circular No. 230).
 - h Unenrolled Return Preparer — the authority to practice before the Internal Revenue Service is limited by Treasury Department Circular No. 230, section 10.7(c)(1)(viii). You must have prepared the return in question and the return must be under examination by the IRS. See Unenrolled Return Preparer on page 2 of the instructions.

▶ IF THIS DECLARATION OF REPRESENTATIVE IS NOT SIGNED AND DATED, THE POWER OF ATTORNEY WILL BE RETURNED. See the Part II instructions.

Designation — insert above letter (a-h)	Jurisdiction (state) or identification	Signature	Date
A, B	NY		6/28/07 <input checked="" type="checkbox"/>
A, B	NY		6/28/07 <input checked="" type="checkbox"/>

17053184096027

Form **1023**
(Rev. June 2006)
Department of the Treasury
Internal Revenue Service

**Application for Recognition of Exemption
Under Section 501(c)(3) of the Internal Revenue Code**

OMB No. 1545-0056

Note: If exempt status is approved, this application will be open for public inspection.

Use the instructions to complete this application and for a definition of all bold items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at www.irs.gov for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

Part I Identification of Applicant

1 Full name of organization (exactly as it appears in your organizing document) The Eric Trump Foundation		2 c/o Name (if applicable)	
3 Mailing address (Number and street) (see instructions) 725 Fifth Ave		Room/Suite 26th Fl	4 Employer Identification Number (EIN) 20-8669454
City or town, state or country, and ZIP + 4 New York, NY 10019		5 Month the annual accounting period ends (01 - 12) December	
6 Primary contact (officer, director, trustee, or authorized representative) a Name: Eric Trump		b Phone: (212) 715-7260 c Fax: (optional)	
7 Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
8 Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Brian Chisholm in the Amount of \$1,500			
9a Organization's website: EricTrumpFoundation.com			
b Organization's email: (optional)			
10 Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
11 Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY) 04/20/2007			
12 Were you formed under the laws of a foreign country? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," state the country.			

For Paperwork Reduction Act Notice, see page 24 of the instructions.

Cat. No. 17133K

Form 1023 (Rev. 6-2006)

POSTMARK RECEIVED
JUN 29 '07 ✓ JUL 02 '07
CINCINNATI SERVICE CENTER

Part II Organizational Structure

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT file this form unless you can check "Yes" on lines 1, 2, 3, or 4.**

- 1 Are you a corporation? If "Yes," attach a copy of your articles of incorporation showing certification of filing with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification. Yes No
- 2 Are you a limited liability company (LLC)? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application. Yes No
- 3 Are you an unincorporated association? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments. Yes No
- 4a Are you a trust? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments. Yes No
- b Have you been funded? If "No," explain how you are formed without anything of value placed in trust. Yes No
- 5 Have you adopted bylaws? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected. Yes No

Part III Required Provisions in Your Organizing Document

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT file this application until you have amended your organizing document.** Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1 Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): Page 1, Article (3)
- 2a Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c.
- 2b If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. Page 2, Article 4, Paragraph 4
- 2c See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state:

Part IV Narrative Description of Your Activities

Using an attachment, describe your past, present, and planned activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

(See Attached)

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors

- 1a List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual compensation, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

(See Attached)

Name	Title	Mailing address	Compensation amount (annual actual or estimated)

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

b List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NA	_____	_____	_____

c List the names, names of businesses, and mailing addresses of your five highest compensated independent contractors that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
NA	_____	_____	_____

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

- 2a Are any of your officers, directors, or trustees related to each other through family or business relationships? If "Yes," identify the individuals and explain the relationship. Yes No **Brothers - Andrew & Matt Jablon**
- b Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees. Yes No
- c Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship. Yes No

3a For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties.

- b Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through common control? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement. Yes No

(See Attached)

4 In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use.

- a Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy? Yes No
- b Do you or will you approve compensation arrangements in advance of paying compensation? Yes No
- c Do you or will you document in writing the date and terms of approved compensation arrangements? Yes No

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements? Yes No
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source? Yes No
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c.
-
- 5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c. Yes No
- b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation?
- c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves?
- Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.
-
- 6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed payments**, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
- b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
-
- 7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases. Yes No
- b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine you are or will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such sales. Yes No
-
- 8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f. Yes No
- b** Describe any written or oral arrangements that you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at **arm's length**.
- e** Explain how you determine you pay no more than fair market value or you are paid at least fair market value.
- f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.
-
- 9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f. Yes No

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- b Describe any written or oral arrangements you made or intend to make.
- c Identify with whom you have or will have such arrangements.
- d Explain how the terms are or will be negotiated at arm's length.
- e Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1a In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals. Yes No
- b In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations. Yes No
- 2 Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program. Yes No
- 3 Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds. Yes No

(See Attached)

Part VII Your History

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1 Are you a **successor** to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G. Yes No
- 2 Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E. Yes No

Part VIII Your Specific Activities

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1 Do you support or oppose candidates in **political campaigns** in any way? If "Yes," explain. Yes No
- 2a Do you attempt to **influence legislation**? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a. Yes No
- b Have you made or are you making an **election** to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities. Yes No
- 3a Do you or will you operate bingo or **gaming** activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. **Revenue and expenses** should be provided for the time periods specified in Part IX, Financial Data. Yes No
- b Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such arrangements. Yes No
- c List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.

Part VIII Your Specific Activities (Continued)

4a Do you or will you undertake **fundraising**? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.) Yes No

- mail solicitations phone solicitations
 email solicitations accept donations on your website
 personal solicitations receive donations from another organization's website
 vehicle, boat, plane, or similar donations government grant solicitations
 foundation grant solicitations Other

(See Attached)

Attach a description of each fundraising program.

b Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements. Yes No

c Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements. Yes No

d List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you. Yes No

(See Attached)

e Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes" if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors. Yes No

5 Are you **affiliated** with a governmental unit? If "Yes," explain. Yes No

6a Do you or will you engage in **economic development**? If "Yes," describe your program. Yes No

b Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

7a Do or will persons other than your employees or volunteers **develop** your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees. Yes No

b Do or will persons other than your employees or volunteers **manage** your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees. Yes No

c If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

8 Do you or will you enter into **joint ventures**, including partnerships or **limited liability companies** treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate. Yes No

9a Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10. Yes No

b Do you provide child care so that parents or caretakers of children you care for can be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). Yes No

c Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). Yes No

d Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k). Yes No

10 Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other **intellectual property**? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed. Yes No

Part VIII Your Specific Activities (Continued)

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution. Yes No
- No restrictions on Contributions*

- 12a** Do you or will you operate in a foreign country or countries? If "Yes," answer lines 12b through 12d. If "No," go to line 13a. Yes No

b Name the foreign countries and regions within the countries in which you operate.

c Describe your operations in each country and region in which you operate.

d Describe how your operations in each country and region further your exempt purposes.

- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a. Yes No

b Describe how your grants, loans, or other distributions to organizations further your exempt purposes.

c Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract. Yes No

d Identify each recipient organization and any relationship between you and the recipient organization.

e Describe the records you keep with respect to the grants, loans, or other distributions you make.

f Describe your selection process, including whether you do any of the following:

(i) Do you require an application form? If "Yes," attach a copy of the form. Yes No

(ii) Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused. Yes No

g Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.

- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15. Yes No

b Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.

c Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries. Yes No

d Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors. Yes No

e Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information. Yes No

f Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately. Yes No

Part VIII Your Specific Activities (Continued)

- 15 Do you have a **close connection** with any organizations? If "Yes," explain. Yes No
- 16 Are you applying for exemption as a **cooperative hospital service organization** under section 501(e)? If "Yes," explain. Yes No
- 17 Are you applying for exemption as a **cooperative service organization of operating educational organizations** under section 501(f)? If "Yes," explain. Yes No
- 18 Are you applying for exemption as a **charitable risk pool** under section 501(n)? If "Yes," explain. Yes No
- 19 Do you or will you operate a **school**? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your **main function** or as a **secondary activity**. Yes No
- 20 Is your main function to provide **hospital or medical care**? If "Yes," complete Schedule C. Yes No
- 21 Do you or will you provide **low-income housing** or housing for the **elderly or handicapped**? If "Yes," complete Schedule F. Yes No
- 22 Do you or will you provide scholarships, fellowships, educational loans, or other educational grants to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. Yes No

Note: Private foundations may use Schedule H to request advance approval of individual grant procedures.

Part IX Financial Data

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

		A. Statement of Revenues and Expenses				
Type of revenue or expense		Current tax year	3 prior tax years or 2 succeeding tax years			(e) Provide Total for (a) through (d)
		(a) From 4/1/07 To 12/31/07	(b) From 1/1/08 To 12/31/08	(c) From 7/1/09 To 12/31/09	(d) From 1/01/10 To 12/31/10	
Revenues	1 Gifts, grants, and contributions received (do not include unusual grants)	177,000	203,550	234,082	269,195	883,827.00
	2 Membership fees received	0	0	0	0	—
	3 Gross investment income	1000	1500	2000	3000	7,500.00
	4 Net unrelated business income	0	0	0	0	—
	5 Taxes levied for your benefit	0	0	0	0	—
	6 Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)	0	0	0	0	—
	7 Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)	0	0	0	0	—
	8 Total of lines 1 through 7	178,000	205,050	236,082	272,195	891,327.00
	9 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)	2,000	2300	2645	3041	9986.00
	10 Total of lines 8 and 9	180,000	207,350	238,727	275,236	901,313.00
	11 Net gain or loss on sale of capital assets (attach schedule and see instructions)	0	0	0	0	—
	12 Unusual grants	0	0	0	0	—
	13 Total Revenue Add lines 10 through 12	180,000	207,350	238,727	275,236	901,313.00
Expenses	14 Fundraising expenses	12,390	14,249	16,386	18,844	
	15 Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)	0	0	0	0	
	16 Disbursements to or for the benefit of members (attach an itemized list)	0	0	0	0	
	17 Compensation of officers, directors, and trustees	0	0	0	0	
	18 Other salaries and wages	3000	3900	4485	5158	
	19 Interest expense	0	0	0	0	
	20 Occupancy (rent, utilities, etc.)	0	0	0	0	
	21 Depreciation and depletion	0	0	0	0	
	22 Professional fees	1000	1100	1100	1100	
	23 Any expense not otherwise classified, such as program services (attach itemized list)	0	0	0	0	
	24 Total Expenses Add lines 14 through 23	16,390	19,249	21,971	25,102	

Part IX Financial Data (Continued)

B. Balance Sheet (for your most recently completed tax year)

		Year End:
		(Whole dollars)
Assets		
1	Cash	1
2	Accounts receivable, net	2
3	Inventories	3
4	Bonds and notes receivable (attach an itemized list)	4
5	Corporate stocks (attach an itemized list)	5
6	Loans receivable (attach an itemized list)	6
7	Other investments (attach an itemized list)	7
8	Depreciable and depletable assets (attach an itemized list)	8
9	Land	9
10	Other assets (attach an itemized list)	10
11	Total Assets (add lines 1 through 10)	11
Liabilities		
12	Accounts payable	12
13	Contributions, gifts, grants, etc. payable	13
14	Mortgages and notes payable (attach an itemized list)	14
15	Other liabilities (attach an itemized list)	15
16	Total Liabilities (add lines 12 through 15)	16
Fund Balances or Net Assets		
17	Total fund balances or net assets	17
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17)	18
19	Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Part X Public Charity Status

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

- 1a Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. Yes No
 If you are unsure, see the instructions.
- b As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2.
- 2 Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI. Yes No
- 3 Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4. Yes No
- 4 Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation? Yes No
- 5 If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.
- The organization is not a private foundation because it is:
- a 509(a)(1) and 170(b)(1)(A)(i)—a church or a convention or association of churches. Complete and attach Schedule A.
 - b 509(a)(1) and 170(b)(1)(A)(ii)—a school. Complete and attach Schedule B.
 - c 509(a)(1) and 170(b)(1)(A)(iii)—a hospital, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C.
 - d 509(a)(3)—an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D.

750 80

The Eric Trump Foundation

8669454 Page 12


Part XI User Fee Information

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of gross receipts over a 4-year period. Your check or money order must be made payable to the United States Treasury. User fees are subject to change. Check our website at www.irs.gov and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? Yes No
If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).
If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change).
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change).

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here


(Signature of Officer, Director, Trustee, or other authorized official)

Eric Trump
(Type or print name of signer)

6/19/07
(Date)

Founder, Chairman of Board.
(Type or print title or authority of signer)

Reminder: Send the completed Form 1023 Checklist with your filled-in-application.

Part II, Question 5

The Eric Trump Foundation has not adopted any bylaws. In order to select our officers, directors, and trustees, the Foundation set up a rigorous selection process that took into consideration the following characteristics and traits that we would want a representative of the Eric Trump foundation to possess:

Integrity, persistence, and selflessness in personal and business matters. Passion for helping other people, particularly children. A strong network that the foundation can leverage to benefit its causes.

When we picked these traits to focus on, it was with the aim of finding people we could be proud of and who we knew would represent the foundation with the utmost integrity. The most important asset of a charitable organization, aside from its people, is its reputation; thus it was paramount that our officers had the highest level of integrity, persistence, and selflessness. Furthermore, we wanted people involved who would really care about what the Foundation is trying accomplish. Finally, we decided that, as important as good intentions are, they alone do not help anyone. Thus a strong focus from the beginning was to be pragmatic, and so we selected officers we knew had considerable resources at their disposal, so that the Foundation can leverage those resources for the betterment of children.

Part IV

The first fund-raising activity we have selected is a golf tournament. The board members of the Foundation have already spent a significant amount of time and effort planning the execution of the event.

All of the board members will play an integral part in planning and managing the event through separate sub-committees that will be responsible for different aspects of the event. The activity will be conducted in and around the New York metro area.

We anticipate that the golf tournament will raise a significant amount of money for children who are terminally ill. The goal is to raise donations from participants, sponsors, and through an auction.

The board members have allocated a fair amount of time (5-10%) of their work week to begin the planning process and file all necessary paper work. We anticipate this time commitment to only increase as the date of the event gets nearer.

The activity will be initially funded by the members of the board. The Foundation is fortunate in that our chairman's family owns three golf courses in New York and New Jersey that we can utilize.

Part V,1A

Name	Title	Mailing Address	Compensation Amount
Eric Trump	Founder, Chairman of Board	Eric Trump 100 Central Park South New York, NY 10019 646-673-5606	None
Andrew Graves	Founder, Vice Chairman/President	Andrew Graves 434 E. 72nd Street Apt. #6G New York, NY 10021 240-731-2180	None
Andrew Joblon	Vice Chairman/President	Andrew Joblon 350 W. 42nd Street Apt. 7A New York, NY 10036 646-417-3395	None
Matt Joblon	Director	Matthew Joblon 1555 Vine St. Apt. # 328S Hollywood, CA 90028 508-344-2557	None
Michael Gilbane	Director	Michael Gilbane Garden Apt. 141 West 15th St. N New York, NY 10011 646-483-9443	None
Todd MacDowell	Director	Todd MacDowell 1 Charles St. South Unit: 7B Boston, MA 02116 617-968-2328	None
Brad Farber	Director	Brad Farber 10 East 29th St. Apt. 49D, New York, NY 10016 (520) 241-7126	None

Part V, 3A

Name	Title	Qualifications	Average Hours Worked	Duties
Eric Trump	Founder, Chairman of Board	Georgetown University The Trump Organization – Vice President Operation Santa Clause Project Night Night	NA	East Coast Fundraising Auction Items Golf Tournament Planner/ General Activities Treasurer / Financial PR/ Advertising/Marketing/Promotional Material Corporate Sponsors
Andrew Graves	Founder, Vice Chairman/President	Wake Forest Siguler Guff & Co. – Associate Brian Piccolo Cancer Research Fund Children's Miracle Network	NA	East Coast Fundraising Golf Tournament Planner/ General Activities Treasurer / Financial Corporate Sponsors
Andrew Joblon	Vice Chairman/President	George Washington University Fisher Brothers - Associate Fisher House Charity Fallen Heroes Fund	NA	East Coast Fundraising Corporate Donations Gift Bags Entertainment and other Fundraising Functions PR/ Advertising/Marketing/Promotional Material
Matt Joblon	Director	Babson College Managing Director - Friedman Equities, LLC Weitzmann Institute of Science Volunteered for Children's Hospital	NA	West Coast Fundraising Corporate Donations PR/ Advertising/Marketing/Promotional Material Contact List
Michael Gilbane	Director	Princeton University The Related Companies, LP - Development Analyst Bush-Cheney Presidential Inaugural Committee as Staff Secretary of Vice Presidential Operations Trustee, CMF	NA	East Coast Fundraising Corporate Donations Entertainment and other Fundraising Functions
Todd MacDowell	Director	Babson College Boulder Capital - Vice President Next Generation Developers Committee at Children's Hospital Boston Jewish Community Center Association Event committee for the Penekese School	NA	East Coast Fundraising Corporate Donations PR/ Advertising/Marketing/Promotional Material Auction Items
Brad Farber	Director	Babson College Benjamin Cardozo School of Law LeBoeuf, Lamb, Greene and Macrae LLP – Associate The Race to Erase MS Cancer Research for the University of Colorado	NA	Midwest Fundraising Corporate Sponsors Gift Bags Auction Items

Part VI, Question 1A

Yes, the Eric Trump Foundation will be providing goods, funds, and services to individuals. The foundation will be holding various events throughout a given year. For example:

- **Golf Tournament:** The golf tournament, organized by an internal committee of the foundation, will most likely occur on an annual basis. The foundation will be accepting donations in order for one take part in the event. The donations will be allocated to the given causes that the executive committee sees fit. In addition to the golf tournament, an auction will be held for those individuals/parties who took part in the golf tournament. All auction prizes will be donated, the foundation will not be purchasing any auction prizes.
- **Operation Santa:** The foundation will be participating in Operation Santa on an annual basis. Operation Santa is a charitable organization that collects holiday wish-lists of underprivileged children. Charitable donations are then accepted in order to purchase and distribute the items on the wish-lists.

Part VIII, 4A

Type of Fundraising	Description of Fundraising Program
Mail Solicitations	The Eric Trump foundation will not be doing any mail solicitations to persons that do not have a connection to or through a member of the board.
Email Solicitations	The foundation will not be soliciting anyone that has no affiliation one way or another to the board and their networks. We have carefully selected board members who have vast social and professional networks.
Personal Solicitations	The great thing about the Eric Trump foundation is that through the networks of those involved we feel as though we can raise enough money from people that the board members have some sort of affiliation to and can avoid soliciting random individuals.
Phone Solicitations	We will only be calling and soliciting from people that we are familiar with and have some connection to, there will be no random phone solicitation at anytime. The foundation really likes the idea of keeping things within people we know.
Website Donations	There will be a place on the EricTrumpFoundation.com website for donations to be given. We will encourage friends, colleagues, and other people who cannot attend one of the tournament or events to use this as a means to donate to the cause. There will be a paypal system to provide proper security and tracking.

Part VIII, 4D

New York City, NY	"Fundraise For Our Own Organization"
Westchester, NY	"Fundraise For Our Own Organization"
Palm Beach, FL	"Fundraise For Our Own Organization"
Los Angeles, CA	"Fundraise For Our Own Organization"
Bedminster, NJ	"Fundraise For Our Own Organization"

**User Fee for Exempt Organization
 Determination Letter Request**

▶ **Attach this form to determination letter application.
 (Form 8718 is NOT a determination letter application.)**

For
 IRS
 Use
 Only

OMB No. 1545-1798
 Control number _____
 Amount paid _____
 User fee screener _____

1 Name of organization THE ERIC TRUMP FOUNDATION	2 Employer Identification Number 20 : 8669454
---	--

Caution. Do not attach Form 8718 to an application for a pension plan determination letter. Use Form 8717 instead.

3 Type of request **Fee**

- a** Initial request for a determination letter for:
- An exempt organization that has had annual gross receipts averaging not more than \$10,000 during the preceding 4 years or
 - A new organization that anticipates gross receipts averaging not more than \$10,000 during its first 4 years ▶ **\$300**
- Note.** If you checked box 3a, you must complete the *Certification* below.

Certification

I certify that the annual gross receipts of THE ERIC TRUMP FOUNDATION
name of organization

have averaged (or are expected to average) not more than \$10,000 during the preceding 4 (or the first 4) years of operation.

Signature ▶ _____ Title ▶ _____

- b** Initial request for a determination letter for:
- An exempt organization that has had annual gross receipts averaging more than \$10,000 during the preceding 4 years or
 - A new organization that anticipates gross receipts averaging more than \$10,000 during its first 4 years . ▶ **\$750**
- c** Group exemption letters ▶ **\$900**

Instructions

The law requires payment of a user fee with each application for a determination letter. The user fees are listed on line 3 above. For more information, see Rev. Proc. 2006-8, 2006-1 I.R.B. 245, or latest annual update.

Check the box or boxes on line 3 for the type of application you are submitting. If you check box 3a, you must complete and sign the certification statement that appears under line 3a.

Attach to Form 8718 a check or money order payable to the "United States Treasury" for the full amount of the user fee. If you do not include the full amount, your application will be returned. Attach Form 8718 to your determination letter application.

Generally, the user fee will be refunded only if the Internal Revenue Service declines to issue a determination.

Where To File

Send the determination letter application and Form 8718 to:

Internal Revenue Service
 P.O. Box 192
 Covington, KY 41012-0192

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. If you want your organization to be recognized as tax-exempt by the IRS, you are required to give us this information. We need it to determine whether the organization meets the legal requirements for tax-exempt status.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating

to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. The rules governing the confidentiality of Form 8718 are covered in section 6104.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is 5 minutes. If you have comments concerning the accuracy of this time estimate or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6406, Washington, DC 20224. Do not send this form to this address. Instead, see *Where To File* above.

Attach Check or Money Order Here

CERTIFICATE OF INCORPORATION

OF

THE ERIC TRUMP FOUNDATION

Under Section 402 of the Not-for-Profit Corporation Law

FILER:

Schwartz & Fang, P.C.

3000 Marcus Avenue, Suite 2W1

Lake Success, NY 11042

REFERENCE: 21314

FILING RECEIPT

=====

ENTITY NAME: THE ERIC TRUMP FOUNDATION

DOCUMENT TYPE: INCORPORATION (NOT-FOR-PROFIT)

TYPE: B COUNTY: NEWY

SERVICE COMPANY: SERVICO - 35

SERVICE CODE: 35

=====

FILED:04/20/2007 DURATION:PERPETUAL CASH#:070420000801 FILM #:070420000733

ADDRESS FOR PROCESS

EXIST DATE

THE CORPORATION
725 FIFTH AVENUE
NEW YORK, NY 10019

26TH FLOOR

04/20/2007

REGISTERED AGENT

=====

FILER	FEES	100.00	PAYMENTS	100.00
-----	----		-----	
	FILING	75.00	CASH	0.00
	TAX	0.00	CHECK	0.00
SCHWARTZ & FANG, P.C.	CERT	0.00	CHARGE	0.00
3000 MARCUS AVENUE	COPIES	0.00	DRAWDOWN	100.00
SUITE 2W1	HANDLING	25.00	OPAL	0.00
LAKE SUCCESS, NY 11042			REFUND	0.00

CERTIFICATE OF INCORPORATION

OF

THE ERIC TRUMP FOUNDATION

Under Section 402 of the Not-for-Profit Corporation Law

IT IS HEREBY CERTIFIED THAT:

(1) The name of the corporation is:
THE ERIC TRUMP FOUNDATION

(2) The corporation is a corporation as defined in subparagraph (a) (5) of Section 102 of the Not For Profit Corporation Law: the corporation is a Type B Corporation.

(3) The purpose or purposes for which this corporation is formed are as follows:

To receive and maintain a fund or funds of real or personal property, or both, subject to the restrictions and limitations hereinafter set forth, to use and apply the whole or any part of the income therefrom and the principal thereof exclusively for charitable purposes, through the establishment and maintenance, as well as the making of contributions and grants to assist in the maintenance of charitable organizations, and other such purposes within the meaning of Section 501 ©) (3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended, except that this Corporation shall not itself directly conduct any of the above enumerated activities, except for the solicitation, receipt and maintenance of funds, within the State of New York, nor shall this Corporation carry on any activity under Section 404 of the Not-for-Profit Corporation Law or Section 604-a of the Social Services Law.

The corporation is organized exclusively for charitable, educational, religious, or scientific purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code.

To do any other act or thing incidental to or connected with the foregoing purposes or in the advancement thereof, but not for the pecuniary profit or financial gain of its members, directors, or officers.

Nothing herein shall authorize this Corporation, directly or indirectly, to engage in or include among its purposes any of the activities mentioned in Not-for-Profit Corporation Law Section 404 (a) through (v).

In furtherance of its corporate purposes, the Corporation shall have all general powers enumerated in Section 202 of the Not-for-Profit Corporation Law, together with the powers to solicit grants and contributions for corporate purposes.

(4) Notwithstanding any other provision of these articles, the corporation is organized exclusively for one or more of the purposes as specified in Section 501 (c) (3) of the Internal Revenue Code of 1986, and shall not carry on any activities not permitted to be carried on by a corporation exempt from Federal income tax under Internal Revenue Code Section 501 (c) (3) or corresponding provisions of any subsequent Federal tax laws.

No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation), and no member, trustee, director, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

No substantial part of the activities of the corporation shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Internal Revenue Code Section 501 [h]) or participating in or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

In the event of dissolution, all of the remaining assets and property of the corporation, shall, after necessary expenses thereof, be distributed to another organization exempt under Internal Revenue Code Section 501 (c) (3), or corresponding provisions of any subsequent Federal tax laws, or to the Federal Government, or state or local government for a public purpose, subject to the approval of a Justice of the Supreme Court of the State of New York.

In any taxable year in which the corporation is a private foundation as described in Internal Revenue Code Section 509 (a), the corporation shall distribute its income for said period at such time and manner as not to subject it to tax under Internal Revenue Code Section 4942, and the corporation shall not (A) engage in any act of self-dealing as defined in Internal Revenue Code Section 4941 (d), retain any excess business holdings as defined in Internal Revenue Code Section 4943 (c), (B) make any investments in such manner as to subject the corporation to tax under Internal Revenue Code Section 4944, or (C) make any taxable expenditures as defined in Internal Revenue Code Section 4945 (d) or corresponding provisions of any subsequent Federal tax laws.

Nothing contained in this certificate shall authorize or empower the corporation to perform or engage in any act or practice prohibited by General Business Law, Section 340 or any other anti-monopoly statute of the State of New York.

(5) The office of the corporation is to be located in the county of New York.

(6) The initial directors of the corporation until the first annual meeting are as

follows:

Eric Trump
100 Central Park South
New York, NY 10019

Andrew Graves
434 E. 72nd Street, Apt. 6G
New York, NY 10021

Andrew Joblon
350 W. 42nd Street, Apt. 7A
New York, NY 10036

(7) The duration of the corporation is perpetual.

(8) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is: 725 Fifth Avenue, 26th Floor, New York, NY 10019

IN WITNESS WHEREOF, I hereunto sign my name and affirm that the statements made herein are true under the penalties of perjury.

Dated: April 19, 2007



Scott J. Schuster, Incorporator
283 Washington Avenue
Albany, New York 12206

BY-LAWS
OF
THE ERIC TRUMP FOUNDATION

ARTICLE I

Objectives

The Eric Trump Foundation, Inc. is established as a Type B not-for-profit corporation to provide monetary or financial aid exclusively for charitable, religious, scientific, literary or educational purposes, and to solicit, receive, maintain and disburse funds for these purposes, all as more specifically set forth in its Certificate of Incorporation.

ARTICLE II

Offices and Books

Section 1. Corporate Offices. The Corporation shall have a principal office in the County of New York, City of New York, State of New York, and may also have offices at such other places throughout the world as the Board of Directors may from time to time determine.

Section 2. Corporate Books. There shall be kept at the office of the Corporation correct books of account of the activities and transactions of the Corporation, including a minute book, which shall contain a copy of the Certificate of Incorporation, a copy of these By-Laws, and all minutes of meetings of the Board of Directors.

ARTICLE III

Board of Directors

Section 1. General Powers. The property, affairs and business of the Corporation shall be managed and controlled, and all corporate powers shall be exercised by or under the authority of the Board of Directors.

Section 2. Specific Powers. The Board of Directors shall have exclusive power to expend, disburse, apply, grant, assign or contribute the Corporation's property in such ways and for such things as may further the purpose of the Corporation as set forth in its Certificate of Incorporation.

Section 3. Composition. (a). The Board of Directors of the Corporation shall consist initially of seven directors, which number may be increased and subsequently decreased from time to time as hereinafter provided, except that in no event shall the Board of Directors consist of less than three nor more than ten positions. The Board of Directors shall elect a Chairman who shall preside at meetings of the Board of Directors. As long as Eric Trump, the founder of the Corporation (the "Founder"), shall be a director, he shall be the Chairman of the Board of Directors. Except as hereinafter provided in paragraph (c) of this Section 3 or in Section 7 hereof, directors shall be elected at the annual meeting of the Board of Directors, and each director shall hold office for a term of one year, and until such director's successor shall be elected and qualified, unless prior thereto he dies, resigns or is removed from office.

(b). Subject to paragraph (c) below, the number of seats on the Board of Directors may be increased or decreased by the Chairman of the Board of Directors if he is also the Founder or, in the event that either there is no Chairman or the Chairman is not then the

Founder, by a majority vote of the number of directors holding office plus unfilled vacancies, provided however, that

(i) So long as the Founder is a member of the Board of Directors, no increase or change in the number of directors shall be made without his affirmative vote;

(ii) No decrease in the number of seats shall deprive a director of his position for the remainder of his term; and

(iii) Except as otherwise provided in paragraph (c) below an increase in the number of directors shall require the affirmative vote of two-thirds of all directors holding office plus unfilled vacancies.

(c) Upon and following the death of the Founder and without the requirement of action by the Board of Directors, persons in the following classes shall be qualified for and shall assume seats on the Board of Directors of the Corporation, in addition to those then in office, for terms that begin when, and extend only so long as, they are within such class (or, at an earlier date resign from their directorship or are removed for cause):

(i) A child of the Founder who has attained age 30 will become a director, replacing the then eldest non-family director holding office pursuant to paragraph (c)(ii) of this Section 3.

(ii) Each person (other than a child of the Founder) who has qualified as one of the Founder's executors under the terms of the Founder's Will, will become a director and will continue as a director for so long as such person continues to serve as an executor or serves as a trustee of any of the trusts created by the Founder for the benefit of one of his children.

Section 4. Meetings. The Board of Directors may hold its meetings either within or without the State of New York. The annual meeting of the Board of Directors shall be held at such time and place during the first week of May in each year beginning with the year 2007, or on such other date as may be designated by the Board of Directors, for the purposes set forth in these By-Laws and for the transaction of such other business as may come before the meeting, as shall be designated in the notice of the meeting, which shall be given at least ten days, but not more than twenty-one days, before the meeting.

Special meetings of the Board of Directors shall be held at such time and place as shall be designated in the notice of the meeting whenever called by the President or by a majority of the directors then in office. Such notice shall be given by the Secretary, or, in his absence, any other officer of the Corporation, at least seven days, but not more than fourteen days, before the meeting. Unless otherwise stated in such notice, any and all business may be transacted at any meeting without specification of such business or the purpose or purposes of the meeting therein.

Section 5. Quorum. Except as otherwise provided by law, the Certificate of Incorporation or By-Laws of the Corporation, a quorum of the Board of Directors for the transaction of business shall consist of a majority of the members (plus vacancies) of the Board of Directors if the Chairman who is the Founder is present or two-thirds of the members (plus vacancies) of the Board of Directors if the Chairman who is the Founder is not present or if there is no Chairman who is the Founder. For purposes of convening a meeting with a quorum and the transacting of business, in the discretion of the Chairman, a Director may be deemed present if he participates in the meeting by conference telephone or similar connection in which each director can hear and be heard by all other directors physically present or present by such connection.

Section 6. Voting. Except as otherwise provided by law, the Certificate of Incorporation or By-Laws of the Corporation, the affirmative vote of a majority of the directors at any meeting at which a quorum is present shall decide any question brought before such meeting.

Section 7. Vacancies. Any vacancy in the Board of Directors and any additional membership on the Board of Directors resulting from an increase in the number of directors may be filled at any time by the affirmative vote of a majority of the then remaining directors, though less than a quorum of the Board, at any meeting, and the person or persons so elected shall hold office until the next annual meeting of the members of the Board of Directors.

Section 8. Informal Action. Any action required to be taken at a meeting of the Board of Directors, or any action which may be taken at a meeting of the Board of Directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the directors.

Section 9. Removal. Any director may be removed at any time for cause by the Board of Directors at any meeting.

Section 10. Resignations. Any directors of the Corporation or any member of any committee may resign at any time by giving written notice to the Board of Directors, to the President, or to the Secretary of the Corporation. Any such resignation shall taken effect at the date of receipt of such notice or at any later time specified therein, and the acceptance of such resignation shall not be necessary to make it effective unless otherwise provided therein.

Section 11. Special Committees. Subject to Sections 1 and 2 of this Article III, the Board of Directors may from time to time designate and appoint one or more special committees with such powers and duties as the Board of Directors may determine. At least one member of

each of such committees shall be a member of the Board of Directors, provided, however, that at such time or times as there shall be one or more directors of one or both of the classes described in either paragraph (i) or (ii) of Section 3(c) of this Article III, at least one member of each such committee shall be a director who is a member of such class, except for a class all of whose members shall have waived such right in writing. Such committees may have non-director members and advisors who are neither officers nor employees of the Corporation.

ARTICLE IV

Officers

Section 1. Officers. The officers of the Corporation shall be a President, one or more Vice-Presidents, a Treasurer, a Secretary, and such other officers as may be elected or appointed in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers as it shall deem desirable. Each officer of the Corporation shall have such authority and shall perform such duties as shall be designated by the Board of Directors. Each officer shall hold office for such term as hereinafter prescribed in Section 2 of this Article IV. Any person may hold two or more offices at one time provided the duties thereof can be consistently performed by the same person. The person elected as President shall be a member of the Board of Directors.

Section 2. Election and Term of Office. As soon after incorporation as practical, the Board of Directors shall elect officers of the Corporation to hold office until the first annual meeting. Thereafter, the officers of the Corporation shall be elected annually by the Board of Directors at the annual meeting of the Board of Directors. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until the next annual meeting of the Board of Directors and until his successor shall have been elected and qualified.

Section 3. President. Unless the Chairman shall request that the Board of Directors elect another person, the Chairman of the Board of Directors shall also serve as President of the Corporation. The President shall be the chief executive officer of the Corporation and, subject to the provision of the By-Laws and to the direction of the Board of Directors, (i) shall, in the absence of the Chairman, preside at all meetings of the Board of Directors, (ii) shall have general management and control of the affairs of the Corporation, and (iii) shall perform all other duties and enjoy all other powers commonly incident to his office or which may be prescribed by the Board of Directors or which are nor may at any time be authorized or required by law.

Section 4. Vice-President. Each Vice-President shall perform such duties as from time to time may be assigned to him by the Board of Directors. In the absence of the President or in the event of his inability to act, the Vice-President so designated by the Board of Directors shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all of the restrictions upon the President.

Section 5. Treasurer. Subject to the direction of the Board of Directors, the Treasurer shall have charge and custody of and shall receive and disburse the funds of the Corporation. When necessary or proper, he shall endorse on behalf of the Corporation for collection, checks, notes and other obligations, and shall deposit all funds of the Corporation in such banks or other depositories as may be designated by the Board of Directors. Subject to the direction of the Board of Directors, he shall perform all other duties and enjoy all other powers commonly incident to his office or as from time to time may be assigned to him by the Board of Directors.

In the absence of the Treasurer or in the event of his inability to act, the President may appoint an Assistant Treasurer to act temporarily in his place. The Board of Directors may

require the Treasurer and any Assistant Treasurer to be bonded for the faithful discharge of his duties in such sums and with such surety or sureties as the Board of Directors may determine.

Section 6. Secretary. The Secretary shall keep the minutes of the meetings of the Board of Directors and shall be responsible for the custody of all such minutes. Subject to the direction of the Board of Directors, the Secretary shall have custody of the documents of the Corporation. He shall have custody of the corporate seal and shall affix and attach such seal to any instrument whose execution under seal shall have been duly authorized. He shall give notice of meetings and, subject to the direction of the Board of Directors, shall perform all other duties and enjoy all other powers commonly incident to his office or as may from time to time be assigned to him by the Board of Directors.

In the absence of the Secretary or in the event of his inability to act, the President may appoint an Assistant Secretary to act temporarily in his place.

Section 7. Resignations. Any officer of the Corporation or any member of any committee may resign at any time by giving written notice to the Board of Directors, to the President or to the Secretary of the Corporation. Any such resignation shall take effect at the date of receipt of such notice or at any later time specified therein, and the acceptance of such resignation shall not be necessary to make it effective unless otherwise provided therein.

Section 8. Removal. Any officer of the Corporation may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation shall be served thereby.

Section 9. Vacancies. Any vacancy in the office of any officer arising from death, resignation, removal or other cause may be filled at any time by the Board of Directors at any

meeting, and the officer so elected shall hold office until the next annual meeting of the Board of Directors and until his successor shall have been elected and qualified.

ARTICLE V

Miscellaneous

Section 1. Members. The Corporation shall not have any members.

Section 2. Contracts and Other Documents. Except as otherwise provided by law or the By-Laws, such officer or officers, employee or employees, or agent or agents of the Corporation as shall be specified by the Board of Directors shall sign, in the name and on behalf of the Corporation, all deeds, bonds, contracts, leases and other instruments or documents, the execution of which shall be authorized by the Board of Directors and such authority may be general or confirmed to specific instances.

Section 3. Checks, Drafts and other Instruments. Checks, Drafts and Other Instruments. All checks, drafts, notes, bonds, bills of exchange or other orders, instruments or obligation for the payment of money shall be signed by such officer or officers, employee or employees or agent or agents of the Corporation as shall be specified by the Board of Directors.

Section 4. Corporate Seal. The corporate seal of the Corporation shall be circular in form and shall have inscribed thereon the words "THE ERIC TRUMP FOUNDATION, INC.," the year of the Corporations' organization and the words "Corporate Seal" and "State of New York."

Section 5. Identification. The Board of Directors may adopt such logo or other distinctive insignia for the Corporation as it deems desirable.

Section 6. Fiscal Year. The fiscal year of the Corporation shall end on the last day of December or such other date as may be determined by the Board of Directors.

Section 7. Notices and Waivers Thereof. Whenever any notice is required by the By-Laws, by the Certificate of Incorporation or by any law to be given to any director or officer, such notice, except as otherwise provided by law, may be given personally or by telegram, cable or radiogram addressed to such director or officer at his or her place of business, if any, or at such address as appears in the records of the Corporation as the home address of the director or officer; or the notice may be given in writing by mail, in a sealed wrapper, postage prepaid, addressed to such director or officer at either of the above addresses. Any notice given by telegram, cable or radiogram shall be deemed to have been given when it shall have been delivered for transmission and any notice given by mail shall be deemed to have been given when it shall have been deposited in a post office, in a regularly maintained letter box or with a postal carrier. A waiver of any such notice in writing, signed by the person entitled to such notice, whether before or after the time of the action for which such notice is required, shall be deemed the equivalent thereof; and the presence without objection at any meeting of any person entitled to notice thereof shall be deemed a waiver of such notice as to such person.

Section 8. Interested Directors. In the absence of fraud, no contract or transaction between the Corporation and its director or any other corporation or entity to which such director is a director or officer or is financially interested, shall be void or voidable for this reason alone or by reason that the director was present at a meeting of the Board, or of a committee thereof, which approved such contract or transaction, provided that the fact of such common directorship, officership or financial or other interest is disclosed or known to the Board or committee, and that the Board or committee approves such transaction or contract by a vote sufficient for such purpose without the vote of such interested director. Such director may, however, be counted in determining the presence of a quorum at such meeting.

Section 9. Advisory Committee. The Board of Directors may appoint from its number, or from among such persons as the board may see fit, one or more advisory committees, and at any time may appoint additional committee members. The members of any such committee shall serve during the pleasure of the Board of Directors. Such advisory committees shall advise with and aid the officers of the Corporation in all matters designated by the Board of Directors. Each such committee may, subject to the approval of the Board of Directors, prescribe rules and regulations for the call and conduct of meetings of the committee and other matters relating to its procedure.

The members of any advisory committee shall not receive any stated salary for their services, but by resolution of the Board of Directors a fixed reasonable sum or expenses of attendance, if any, or both, may be allowed for attendance at each regular or special meeting of such committee. The Board of Directors shall have power in its discretion to contract for and to pay to any member of an advisory committee, rendering unusual or exceptional services to the Corporation, special compensation appropriate to the value of such services.

Section 10. Voting Upon Shares of Other Corporations. Unless otherwise ordered by the Board of Directors, the President shall have full power and authority on behalf of the Corporation to vote either in person or by proxy at any meeting of shareholders of any corporation in which this Corporation may hold shares, and at any such meeting may possess and exercise all of the rights and powers incident to the ownership of such shares which, as the owner, this Corporation might have possessed and exercised if present. The Board of Directors may confer like powers upon any other person and may revoke any such powers as granted at its pleasure.

Section 11. Prohibition Against Sharing in Corporate Earnings. No director, officer, or employee of a member of a committee of or person connected with the Corporation, or any other provide individual shall receive at any time any of the net earnings or pecuniary profit from the operations of the Corporation, provided that this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes a shall be fixed by the Board of Directors; and no such person or persons shall be entitled to share in the distribution of any of the corporate assets upon the dissolution of the Corporation. All members of the Corporation shall be deemed to have expressly consented and agreed that upon such dissolution or winding up of the affairs of the Corporation, whether voluntary or involuntary, the assets of the Corporation, after all debts have been satisfied, then remaining in the hands of the Board of Directors shall be distributed in such amounts as the Board of Directors may determine or as may be determined by a court of competent jurisdiction upon application of the Board of Directors, exclusively to charitable, religious, scientific, testing for public safety, literary, or educational organizations which would then qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may be amended.

Section 12. Investments. The Corporation shall have the right to retain all or any part of any securities or property acquired by it in whatever manner, and to invest and reinvest any funds held by it, according to the judgment of the Board of Directors, without being restricted to the class of investments which a director is or may be permitted by law to make or any similar restriction, provided, however, that no action shall be taken by or on behalf of the Corporation if such action is a prohibited transaction or would result in the denial of the tax exemption under

Section 503 or Section 507 of the Internal Revenue Code and its Regulations as they now exist or as they may be amended.

Section 13. Exempt Activities. Notwithstanding any other provision of these By-Laws, no committee member, director, officer, employee, or representative of this Corporation shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may be amended, or by an organization contributions to which are deductible under Section 170(c)(2) of such Code and Regulations as they now exist or as they may be amended.

Section 14. Compensation. None of the directors of the Corporation shall receive any compensation for services rendered in such capacity, but any director or officer may be reimbursed for out-of-pocket expenses properly incurred in connection with the activities of the Corporation. Any officer of the Corporation may receive compensation as fixed by resolution of the Board of Directors for services rendered in such capacity. Nothing contained herein shall be deemed to prohibit the payment of compensation to a director for services rendered to the Corporation as an officer.

Section 15. Indemnification. Any person made a party to any action, suit or proceeding, civil or criminal, by reason of the fact that he is or was a director, officer or employee of the Corporation, or at its request served as such on another corporation, may, in the discretion of the Board of Directors and upon such terms and conditions as it may choose to impose, be indemnified by the Corporation against the reasonable expenses, including attorneys' fees, actually and necessarily incurred by him in connection with the defense of such action, suit or proceeding, whether or not such defense shall be successful in whole or in part, or in

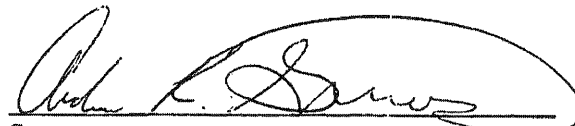
connection with any appeal therein or any settlement thereof, except in relation to matters as to which he shall be adjudged liable for negligence or misconduct in the performance of a duty. Such right of indemnification shall not be deemed exclusive of any other rights to which such director, officer or employee may be entitled apart from this Section. This Section shall not be deemed to limit any power or exclude any right of the Corporation to provide any additional or other indemnity or right for any director, officer or employee. The Corporation shall have the power to purchase and maintain insurance to indemnify the Corporation and its directors, officers or employees to the full extent permitted by law.

ARTICLE VI

Amendments

The Board of Directors shall have the power to make, alter, amend or repeal the By-Laws at any duly convened meeting of the Board of Directors by the affirmative vote of a majority of the directors at any such meeting at which a quorum is present provided however, that (i) so long as the Founder is a member of the Board of Directors, the Board of Directors shall not have the power to amend this Article VI or Sections 3 and 5 of Article III or Section 3 of Article IV without his consent, and (ii) if the Founder is no longer a member of the Board of Directors, no amendment of these By-Laws (including, without limitation the amendment of this Article VI) shall have or be given the direct or indirect effect of denying, or enable the denial to, any person the right to become or continue to be a director of the Corporation or any member of a class of directors the right to be represented on a Special Committee pursuant to the terms of Sections 3(c) and 11 of Article III, respectively.

Dated: May 28, 2007


Secretary

Conflict of Interest Policy of The Eric Trump Foundation

Article I **Purpose**

The purpose of the conflict of interest policy is to protect this tax-exempt organization's (Organization) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Article II **Definitions**

1. Interested Person

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Article III **Procedures**

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to

the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether is fair and reasonable, in conformity with the above determination it shall make its decision as to whether to inter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Article IV
Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present,

and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Article V Compensation

a. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Article VI Annual Statements

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Article VII Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements are benefits and reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Article VIII
Use of Outside Experts

When conducting the periodic reviews as provided in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

LAW OFFICES
SCHWARTZ & FANG, P.C.
3000 MARCUS AVENUE - SUITE 2W1
LAKE SUCCESS, NEW YORK 11042

Stephen J. Schwartz
Neil B. Fang*

Stephanie M. Keating*

*Also Admitted in NJ

(516) 488-0100
FAX: (516) 488-1238
sschwartz@sfsq.com
nfang@sfsq.com

June 29, 2007

Of Counsel
Roberto Viceconte

Debra G. Shapira
Legal Assistant

VIA UPS NEXT DAY AIR

Internal Revenue Service
201 West Rivercenter Blvd.
Attn: Extracting Stop 312
Covington, KY 41011

Re: The Eric Trump Foundation

Dear Sir/Madam:

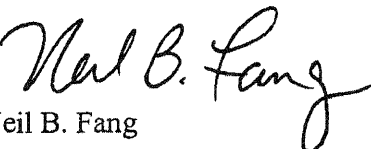
Enclosed kindly find the following documents:

1. Form 8718, User Fee For Exempt Organization Determination Letter Request;
2. Check No. 102 from Eric F. Trump in the amount of \$750;
3. Form 1023, Application for Recognition of Exemption Under Section 501(c)(3);
4. Form 2848, Power of Attorney and Declaration of Representative;
5. Bylaws of The Eric Trump Foundation;
6. Certificate of Incorporation of The Eric Trump Foundation; and
7. Filing Receipt from the New York State Department of State.

Please process the above documents at your earliest convenience and notify our office in writing when it is completed. Thank you for your cooperation.

Very truly yours,

SCHWARTZ & FANG, P.C.


Neil B. Fang

NBF/de
Encls.

Internal Revenue Service
Director, Exempt Organizations

Department of the Treasury
P.O. Box 2508 - Room 4522
Cincinnati, Ohio 45201

Date: October 10, 2007

The Eric Trump Foundation
725 Fifth Ave 26th Flr
New York, NY 10019

Employer Identification Number:
20-8669454
Person to Contact - ID#:
G. Olwine - 31-07252
Contact Telephone Numbers:
513-263-3651 Phone
513-263-3662 FAX
Response Due Date:
October 31, 2007

Dear Sir or Madam:

Before we can determine whether your organization is exempt from Federal income tax, we must have enough information to show that you have met all legal requirements. You did not include the information needed to make that determination on your Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

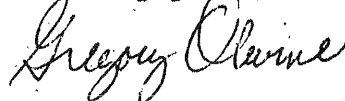
To help us determine whether your organization is exempt from Federal income tax, please send us the requested information by the above date. We can then complete our review of your application.

If we do not hear from you within that time, we will assume you do not want us to consider the matter further and will close your case. In that event, as required by Code section 6104(c), we will notify the appropriate state officials that, based on the information we have, we cannot recognize you as an organization of the kind described in Code section 501(c)(3). As a result, the Internal Revenue Service will treat your organization as a taxable entity. If we receive the information after the response due date, we may ask you to send us a new Form 1023.

In addition, if you do not provide the requested information in a timely manner, we will consider that you have not taken all reasonable steps to secure the determination you requested. Under Code section 7428(b)(2), your not taking all reasonable steps in a timely manner to secure the determination may be considered as failure to exhaust administrative remedies available to you within the Service. Therefore, you may lose your rights to a declaratory judgment under Code section 7428.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Gregory Olwine
Exempt Organizations Specialist

Enclosure

Letter 1312 (DO)

The Eric Trump Foundation
20-8669454

Note: Your response to this letter must be submitted over the signature of an authorized person or of an officer whose name is listed on the application.

Under penalties of perjury, I declare that I have examined this information, including accompanying documents, and, to the best of my knowledge and belief, the information contains all the relevant facts relating to the request for the information, and such facts are true, correct, and complete.

PLEASE ATTACH A COPY OF THIS LETTER TO ALL CORRESPONDENCE.

Additional Information Requested:

1. From page 4 of Form 1023, you marked to the Yes box to question 5a. Please provide a copy of your conflict of interest policy and an explanation as required.
2. Describe any relationship(s) where your organization and/or board members are involved with for-profit entities or LLC's which may present a conflict of interest with the applicant organization.
3. From page 9 of Form 1023, your estimated revenue significantly exceeds your expenses on an annual basis. When do you estimate paying out contributions to the recipient organizations? Also, will all the recipient organizations be 501(c)(3) organizations? If not, please explain.
4. Please have a board member/trustee from those listed on page 2 of Form 1023 and/or its applicable attachment, sign and date page 11 of the Form 1023 and return a copy with your reply.

PLEASE DIRECT ALL CORRESPONDENCE REGARDING YOUR CASE TO:

US Mail:

Internal Revenue Service
Exempt Organizations
P. O. Box 2508
Cincinnati, OH 45201
ATT: G. Olwine
Room 4522
Group 7821

Street Address:

Internal Revenue Service
Exempt Organizations
550 Main St, Federal Bldg.
Cincinnati, OH 45202
ATT: G. Olwine
Room 4522
Group 7821

Internal Revenue Service
Director, Exempt Organizations

Department of the Treasury
P.O. Box 2508 - Room 4522
Cincinnati, Ohio 45201

Date: October 10, 2007

Employer Identification Number:

20-8669454

Person to Contact - ID#:

G. Olwine - 31-07252

Contact Telephone Numbers:

513-263-3651 Phone

513-263-3662 FAX

Response Due Date:

October 31, 2007

The Eric Trump Foundation
C/O Neil B Fang
3000 Marcus Ave STE 2W1
Lake Success, NY 11042

Dear Sir or Madam:

Before we can determine whether your organization is exempt from Federal income tax, we must have enough information to show that you have met all legal requirements. You did not include the information needed to make that determination on your Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

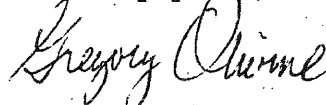
To help us determine whether your organization is exempt from Federal income tax, please send us the requested information by the above date. We can then complete our review of your application.

If we do not hear from you within that time, we will assume you do not want us to consider the matter further and will close your case. In that event, as required by Code section 6104(c), we will notify the appropriate state officials that, based on the information we have, we cannot recognize you as an organization of the kind described in Code section 501(c)(3). As a result, the Internal Revenue Service will treat your organization as a taxable entity. If we receive the information after the response due date, we may ask you to send us a new Form 1023.

In addition, if you do not provide the requested information in a timely manner, we will consider that you have not taken all reasonable steps to secure the determination you requested. Under Code section 7428(b)(2), your not taking all reasonable steps in a timely manner to secure the determination may be considered as failure to exhaust administrative remedies available to you within the Service. Therefore, you may lose your rights to a declaratory judgment under Code section 7428.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Gregory Olwine
Exempt Organizations Specialist

Enclosure

Letter 1312 (DO)

The Eric Trump Foundation
20-8669454

Note: Your response to this letter must be submitted over the signature of an authorized person or of an officer whose name is listed on the application.

Under penalties of perjury, I declare that I have examined this information, including accompanying documents, and, to the best of my knowledge and belief, the information contains all the relevant facts relating to the request for the information, and such facts are true, correct, and complete.

PLEASE ATTACH A COPY OF THIS LETTER TO ALL CORRESPONDENCE.

Additional Information Requested:

1. From page 4 of Form 1023, you marked to the Yes box to question 5a. Please provide a copy of your conflict of interest policy and an explanation as required.
2. Describe any relationship(s) where your organization and/or board members are involved with for-profit entities or LLC's which may present a conflict of interest with the applicant organization.
3. From page 9 of Form 1023, your estimated revenue significantly exceeds your expenses on an annual basis. When do you estimate paying out contributions to the recipient organizations? Also, will all the recipient organizations be 501(c)(3) organizations? If not, please explain.
4. Please have a board member/trustee from those listed on page 2 of Form 1023 and/or its applicable attachment, sign and date page 11 of the Form 1023 and return a copy with your reply.

PLEASE DIRECT ALL CORRESPONDENCE REGARDING YOUR CASE TO:

US Mail:

Internal Revenue Service
Exempt Organizations
P. O. Box 2508
Cincinnati, OH 45201
ATT: G. Olwine
Room 4522
Group 7821

Street Address:

Internal Revenue Service
Exempt Organizations
550 Main St, Federal Bldg.
Cincinnati, OH 45202
ATT: G. Olwine
Room 4522
Group 7821

**Internal Revenue Service
Director, Exempt Organizations**

**Department of the Treasury
P.O. Box 2508 - Room 4522
Cincinnati, Ohio 45201**

Date: October 10, 2007

The Eric Trump Foundation
C/O Stephanie M Keating
3000 Marcus Ave STE 2W1
Lake Success, NY 11042

Employer Identification Number:
20-8669454
Person to Contact - ID#:
G. Olwine - 31-07252
Contact Telephone Numbers:
513-263-3651 Phone
513-263-3662 FAX
Response Due Date:
October 31, 2007

Dear Sir or Madam:

Before we can determine whether your organization is exempt from Federal income tax, we must have enough information to show that you have met all legal requirements. You did not include the information needed to make that determination on your Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

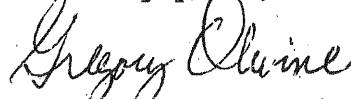
To help us determine whether your organization is exempt from Federal income tax, please send us the requested information by the above date. We can then complete our review of your application.

If we do not hear from you within that time, we will assume you do not want us to consider the matter further and will close your case. In that event, as required by Code section 6104(c), we will notify the appropriate state officials that, based on the information we have, we cannot recognize you as an organization of the kind described in Code section 501(c)(3). As a result, the Internal Revenue Service will treat your organization as a taxable entity. If we receive the information after the response due date, we may ask you to send us a new Form 1023.

In addition, if you do not provide the requested information in a timely manner, we will consider that you have not taken all reasonable steps to secure the determination you requested. Under Code section 7428(b)(2), your not taking all reasonable steps in a timely manner to secure the determination may be considered as failure to exhaust administrative remedies available to you within the Service. Therefore, you may lose your rights to a declaratory judgment under Code section 7428.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Gregory Olwine
Exempt Organizations Specialist

Enclosure

Letter 1312 (DO)

The Eric Trump Foundation
20-8669454

Note: Your response to this letter must be submitted over the signature of an authorized person or of an officer whose name is listed on the application.

Under penalties of perjury, I declare that I have examined this information, including accompanying documents, and, to the best of my knowledge and belief, the information contains all the relevant facts relating to the request for the information, and such facts are true, correct, and complete.

PLEASE ATTACH A COPY OF THIS LETTER TO ALL CORRESPONDENCE.

Additional Information Requested:

1. From page 4 of Form 1023, you marked to the Yes box to question 5a. Please provide a copy of your conflict of interest policy and an explanation as required.
2. Describe any relationship(s) where your organization and/or board members are involved with for-profit entities or LLC's which may present a conflict of interest with the applicant organization.
3. From page 9 of Form 1023, your estimated revenue significantly exceeds your expenses on an annual basis. When do you estimate paying out contributions to the recipient organizations? Also, will all the recipient organizations be 501(c)(3) organizations? If not, please explain.
4. Please have a board member/trustee from those listed on page 2 of Form 1023 and/or its applicable attachment, sign and date page 11 of the Form 1023 and return a copy with your reply.

PLEASE DIRECT ALL CORRESPONDENCE REGARDING YOUR CASE TO:

US Mail:

Internal Revenue Service
Exempt Organizations
P. O. Box 2508
Cincinnati, OH 45201
ATT: G. Olwine
Room 4522
Group 7821

Street Address:

Internal Revenue Service
Exempt Organizations
550 Main St, Federal Bldg.
Cincinnati, OH 45202
ATT: G. Olwine
Room 4522
Group 7821

SCHWARTZ & FANG, P.C.

Attorneys at Law
3000 Marcus Avenue
Lake Success, New York 11042-1066
(516) 488-0100
Telecopier: (516) 488-1238

FAX COVER SHEET

Date: October 25, 2007
To: Internal Revenue Service – Exempt Organizations Attn: G. Olwine, Room 4522, Group 7821
Fax Number: (513) 263-3662 Phone Number:
From: Neil B. Fang, Esq.
Our Fax No.: 516-488-1238 Number of Pages including cover sheet: <u>10</u>
MESSAGE:
<hr/> PLEASE CALL (516) 488-0100 IF THERE ARE ANY TRANSMISSION PROBLEMS. Confidentiality Note: The information contained in this facsimile message may be privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone so that we can arrange for the return of the transmitted documents at no cost to you. Thank you.
IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

LAW OFFICES
SCHWARTZ & FANG, P.C.
3000 MARCUS AVENUE - SUITE 2W1
LAKE SUCCESS, NEW YORK 11042

Stephen J. Schwartz
Neil B. Fang*

Stephanie M. Keating*

(516) 488-0100
FAX: (516) 488-1238
sschwartz@sfsq.com
nfang@sfsq.com

Of Counsel
Roberto Viceconte
Debra G. Shapira
Legal Assistant

*Also Admitted in NJ

October 25, 2007

**VIA FAX (513) 263-3662
AND UPS NEXT DAY AIR**

Internal Revenue Service
Exempt Organizations
550 Main Street, Federal Bldg.
Cincinnati, OH 45202
Attn: G. Olwine
Room 4522
Group 7821

**Re: The Eric Trump Foundation
Employer ID No.: 20-8669454
Form: 1023
Application for Recognition of Exemption Under
Section 501(c)(3) of the Internal Revenue Code**

IRS CINCINNATI, OHIO
OCT 26 2007
RECEIVED TEGE

Dear Mr. Olwine:

We have received the enclosed notice dated October 10, 2007. The following is a response to each of your requests:

1. Enclosed please find a copy of the Organization's Conflict of Interest Policy. This Conflict of Interest Policy has been adopted as a resolution by the Board of the Organization.
2. There are no relationships where The Eric Trump Foundation and its board members are involved with for-profit entities or limited liability companies which may present a conflict of interest with the applicant Organization.
3. The estimated date of paying out contributions to recipient organizations depends upon the receipt of said funds. Distributions to recipient organizations would normally occur within six months of receipt from donors. All recipient organizations will be 501(c)(3) organizations. The Organization expects to make the following gift this year:

Recipient Organizations

Amount

St. Jude's Children's Research Hospital

\$ 350,000 (estimate)

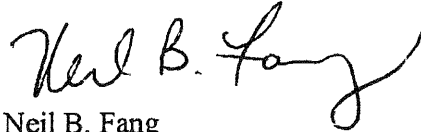
Internal Revenue Service
Page 2
October 25, 2007

4. Enclosed please find page 11 of Form 1023 executed by Eric Trump.

If you should have any questions, please contact me.

Very truly yours,

SCHWARTZ & FANG, P.C.

A handwritten signature in black ink, appearing to read "Neil B. Fang". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

Neil B. Fang

NBF/de
Encls.

cc: Mr. Eric Trump
The Eric Trump Foundation
725 Fifth Avenue, 26th Floor
New York, NY 10019