

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

DEPARTMENT OF THE TREASURY

Date:

MAR 18 2009

MOCHARY FOUNDATION INC  
26 PARK ST  
MONTCLAIR, NJ 07042

Employer Identification Number:  
41-2254108  
DLN:  
17053283311018  
Contact Person: DONALD G HERRING ID# 31171  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
August 31  
Effective Date of Exemption:  
September 26, 2007  
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.

Based on the information you submitted with your application, we have determined you are likely to qualify as a private operating foundation described in section 4942(j)(3) of the Code. Accordingly, you are treated as a private operating foundation for your first year. After that, you will be treated as a private operating foundation as long as you continue to meet the requirements of section 4942(j)(3). You are required to file Form 990-PF annually.

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


We are approving your individual grant-making procedures under section 4945(g)(1) and 4945(g)(3) of the Code. This means scholarships and educational loans granted according to these procedures will not be taxable expenditures under section 4945(d)(3) of the Code. We have not considered whether grants made under your procedures are excludable from the gross income of recipients under section 117 of the Code.

Letter 1075 (DO/CG)

MOCHARY FOUNDATION INC

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

Enclosure: Publication 4221-PF

Internal Revenue Service  
Director, Exempt Organizations

Department of the Treasury  
P.O. Box 2508 - Room 4122  
Cincinnati, Ohio 45201

Date: **MAR 18 2009**

The Mochary Foundation Inc  
26 Park Street  
Montclair, NJ 07042

Employer Identification Number:  
13-3006279

Person to Contact - ID#:  
Grant Herring --203116

Contact Telephone Number:  
877-829-5500 (Toll-Free)

Internal Revenue Code Section:  
4942(g)(2)(B)(i)

Dear Sir or Madam:

We received a request from you dated October 2, 2008, for a ruling that certain set-asides were qualifying distributions under the suitability test of section 4942(g)(2)(B)(i) of the Code. On February 9, 2009, you sent us a request to withdraw this set-aside request.

In accordance with your request, no further action will be taken and the matter is considered closed.

Your exemption letter under section 501(c)(3) remains in effect.

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

Sincerely yours,



Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

