See a Social Security Number? Say Something!
Report Privacy Problems to https://public.resource.org/privacy
Or call the IRS Identity Theft Hotline at 1-800-908-4490
Name of organization (Check box if name changed and see instructions)  
THE JOHN MERCK FUND

Type
2 OLIVER STREET
BOSTON, MA 02109

144,734,543

Group exemption number (See instructions for Block F)  

Check organization type □ 501(c) corporation □ 501(c) trust □ 401(a) trust
□ Other trust

UNRELATED BUSINESS INCOME FROM PARTNERSHIPS

During the tax year, was the corporation a subsidiary in an affiliated group or a parent-subsidiary controlled group?

Yes □ No □

The books are in care of □ NANCY STOCKFORD Telephone number □ 617-556-4120

Gross receipts or sales □ 2 Costs of goods sold (Schedule A, line 7)
Gross profit Subtract line 2 from line 1c
Capital gain net income (attach Schedule O)
Net gain (loss) (Form 4797, Part II, line 17) (attach Form 4797)
Capital loss deduction for trusts
Income (loss) from partnerships and S corporations (attach statement)
Rent income (Schedule C)
Investment income of a section 501(c)(7), (9), or (17) organization (Schedule G)
Exploited exempt activity income (Schedule I)
Advertising income (Schedule J)
Other income (See instructions, attach schedule)
Total. Combine lines 3 through 12

Compensation of officers, directors, and trustees (Schedule K)
Salaries and wages
Repairs and maintenance
Bad debts
Interest (attach schedule)
Taxes and licenses
Charitable contributions (See instructions for limitations on contributions) (Schedule G)
Depreciation (attach Form 4562)
Less depreciation claimed on Schedule A and elsewhere on return
Depletion
Contributions to deferred compensation plans
Employee benefit programs
Excess exempt expenses (Schedule I)
Excess readership costs (Schedule J)
Other deductions (attach schedule)
Total deductions. Add lines 14 through 28
Unrelated business taxable income before net operating loss deduction Subtract line 29 from line 13
Net operating loss deduction (limited to the amount on line 30)
Unrelated business taxable income before specific deduction. Subtract line 31 from line 30
Specific deduction (Generally $1,000, but see instructions for exceptions)
Unrelated business taxable income. Subtract line 33 from line 32. If line 33 is greater than line 32, enter the smaller of zero or line 32

SEE STATEMENT 17

SEE STATEMENT 18
Schedule C - Rent Income (From Real Property and Personal Property Leased With Real Property) (see instr on pg 19)

1 Description of property

(1) 
(2) 
(3) 
(4) 

2 Rent received or accrued

(a) From personal property (if the percentage of rent for personal property is more than 10% but not more than 50%) 

(b) From real and personal property (if the percentage of rent for personal property exceeds 50% or if the rent is based on profit or income) 

3 (a) Deductions directly connected with the income in columns 2(a) and 2(b) (attach schedule)

Total 0

(c) Total income. Add totals of columns 2(a) and 2(b). Enter here and on page 1, Part I, line 6, column (A) 0

(b) Total deductions. Enter here and on page 1, Part I, line 6, column (B) 0

Schedule E - Unrelated Debt-Financed Income (See instructions on page 19)

1 Description of debt-financed property

2 Gross income from or allocable to debt-financed property

3 Deductions directly connected with or allocable to debt-financed property

(a) Straight line depreciation (attach schedule)

(b) Other deductions (attach schedule)

4 Amount of average acquisition debt on or allocable to debt-financed property (attach schedule)

5 Average adjusted basis of or allocable to debt-financed property (attach schedule)

6 Column 4 divided by column 5

7 Gross income reportable (column 2 x column 6)

8 Allocable deductions (column 6 x total of columns 3(a) and 3(b))

Enter here and on page 1, Part I, line 7, column (A) 0

Enter here and on page 1, Part I, line 7, column (B) 0

Total dividends-received deductions included in column 8 0

Schedule F - Interest, Annuities, Royalties, and Rents From Controlled Organizations (See instructions on page 20)

1 Name of controlled organization

2 Employer identification number

3 Net unrelated income (loss) (see instructions)

4 Total of specified payments made

5 Part of column 4 that is included in the controlling organization's gross income

6 Deductions directly connected with income in column 5

Exempt Controlled Organizations

Nonexempt Controlled Organizations

7 Taxable income

8 Net unrelated income (loss) (see instructions)

9 Total of specified payments made

10 Part of column 9 that is included in the controlling organization's gross income

11 Deductions directly connected with income in column 10

Totals 0

Add columns 5 and 10

Add columns 8 and 11
### FORM 990-T
#### INCOME (LOSS) FROM PARTNERSHIPS

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BROOKSIDE CAPITAL PARTNERS FUND L.P.</td>
<td>&lt;17,175&gt;</td>
</tr>
<tr>
<td>WILSHIRE ASSOCIATES PRIVATE MARKETS FUND III LP</td>
<td>&lt;3,836&gt;</td>
</tr>
<tr>
<td>WILSHIRE US PRIVATE MARKETS FUND IV LP</td>
<td>13,172</td>
</tr>
</tbody>
</table>

**TOTAL TO FORM 990-T, PAGE 1, LINE 5**

<7,839>

---

### FORM 990-T
#### INTEREST PAID

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILSHIRE US PRIVATE MARKETS FUND IV LP</td>
<td>105</td>
</tr>
<tr>
<td>BROOKSIDE CAPITAL PARTNERS FUND L.P.</td>
<td>1,074</td>
</tr>
</tbody>
</table>

**TOTAL TO FORM 990-T, PAGE 1, LINE 18**

1,179

---

### FORM 990-T
#### OTHER DEDUCTIONS

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXPENSES RELATED TO PORTFOLIO DEDUCTIONS</td>
<td>1,923</td>
</tr>
</tbody>
</table>

**TOTAL TO FORM 990-T, PAGE 1, LINE 28**

1,923
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>DATE ACQUIRED</th>
<th>DATE SOLD</th>
<th>SALES PRICE</th>
<th>DEPR.</th>
<th>COST OR BASIS</th>
<th>GAIN OR LOSS</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILSHIRE US PRIVATE MARKETS</td>
<td>VARIOUS</td>
<td>VARIOUS</td>
<td></td>
<td></td>
<td></td>
<td>1,015.</td>
</tr>
<tr>
<td>WILSHIRE FUND IV LP</td>
<td>VARIOUS</td>
<td>VARIOUS</td>
<td></td>
<td></td>
<td></td>
<td>3.</td>
</tr>
<tr>
<td>WILSHIRE ASSOCIATES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRIVATE MARKETS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL TO 4797, PART I, LINE 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,018.</td>
</tr>
<tr>
<td></td>
<td>SCHEDULE D</td>
<td>CAPITAL LOSS CARRYOVER WORKSHEET</td>
<td>STATEMENT 19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>------------</td>
<td>----------------------------------</td>
<td>--------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENTER THE AMOUNT FROM FORM 990-T, LINE 34</td>
<td>$13,941</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>ENTER THE LOSS FROM SCHEDULE D, LINE 16, AS A POSITIVE AMT</td>
<td>$3,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>COMBINE LINES 1 AND 2. IF ZERO OR LESS, ENTER -0-</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>ENTER THE SMALLER OF LINE 2 OR LINE 3</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NOTE: IF LINE 5 OF SCHEDULE D IS A LOSS, GO TO LINE 5; OTHERWISE, ENTER -0- ON LINE 5 AND GO TO LINE 9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>ENTER THE LOSS FROM SCH D, LINE 5, AS A POSITIVE AMOUNT</td>
<td>$6,415</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>ENTER ANY GAIN FROM SCHEDULE D, LINE 12</td>
<td>$691</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>ADD LINES 5 AND 6</td>
<td>$691</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>SHORT-TERM CAPITAL LOSS CARRYOVER TO 2009. SUBTRACT LINE 7 FROM LINE 5. IF ZERO OR LESS, ENTER -0-</td>
<td>$5,724</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NOTE: IF LINE 12 OF SCHEDULE D IS A LOSS, GO TO LINE 9; OTHERWISE, SKIP LINES 9 THROUGH 13.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>ENTER THE LOSS FROM SCHEDULE D, LINE 12, AS A POSITIVE AMT</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>ENTER ANY GAIN FROM SCHEDULE D, LINE 5</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>SUBTRACT LINE 5 FROM LINE 4. IF ZERO OR LESS, ENTER -0-</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>ADD LINES 10 AND 11</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>LONG-TERM CAPITAL LOSS CARRYOVER TO 2009. SUBTRACT LINE 12 FROM LINE 9. IF ZERO OR LESS, ENTER -0-</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Part III

**Gain From Disposition of Property Under Sections 1245, 1250, 1252, 1254, and 1255 (see instructions)**

<table>
<thead>
<tr>
<th></th>
<th>Description of section 1245, 1250, 1252, 1254, or 1255 property:</th>
<th></th>
<th>Date acquired (mo., day, yr)</th>
<th>Date sold (mo., day, yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>(a) Description of section 1245, 1250, 1252, 1254, or 1255 property:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

These columns relate to the properties on lines 19A through 19D.

<table>
<thead>
<tr>
<th></th>
<th>Property A</th>
<th>Property B</th>
<th>Property C</th>
<th>Property D</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>Gross sales price (Note: See line 1 before completing)</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Cost or other basis plus expense of sale</td>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Depreciation (or depletion) allowed or allowable</td>
<td>22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Adjusted basis. Subtract line 22 from line 21</td>
<td>23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Total gain. Subtract line 23 from line 20</td>
<td>24</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>If section 1245 property:</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>a Depreciation allowed or allowable from line 22</td>
<td>25a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b Enter the smaller of line 24 or 25a</td>
<td>25b</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>If section 1250 property: If straight line depreciation was used, enter -C- on line 26g, except for a corporation subject to section 291</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>a Additional depreciation after 1975 (see instructions)</td>
<td>26a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b Applicable percentage multiplied by the smaller of line 24 or line 26a (see instructions)</td>
<td>26b</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c Subtract line 26a from line 24. If residential rental property or line 24 is not more than line 26a, skip lines 26d and 26e</td>
<td>26c</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d Additional depreciation after 1969 and before 1976</td>
<td>26d</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e Enter the smaller of line 26c or 26d</td>
<td>26e</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f Section 291 amount (corporations only)</td>
<td>26f</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g Add lines 26b, 26e, and 26f</td>
<td>26g</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>If section 1252 property: Skip this section if you did not dispose of farmland or if this form is being completed for a partnership (other than an electing large partnership).</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>a Soil, water, and land clearing expenses</td>
<td>27a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b Line 27a multiplied by applicable percentage</td>
<td>27b</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c Enter the smaller of line 24 or 27b</td>
<td>27c</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>If section 1254 property:</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>a Intangible drilling and development costs, expenditures for development of mines and other natural deposits, and mining exploration costs (see instructions)</td>
<td>28a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b Enter the smaller of line 24 or 28a</td>
<td>28b</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>If section 1255 property:</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>a Applicable percentage of payments excluded from income under section 126 (see instructions)</td>
<td>29a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b Enter the smaller of line 24 or 29b (see instructions)</td>
<td>29b</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Summary of Part III Gains.** Complete property columns A through D through line 29b before going to line 30.

<table>
<thead>
<tr>
<th></th>
<th>Total gains for all properties. Add property column A through D, line 24</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td></td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Add property columns A through D, lines 25b, 26g, 27c, 28b, and 29b. Enter here and on line 13</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td></td>
<td>31</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Subtract line 31 from line 30. Enter the portion from casualty or theft on Form 4684, line 39. Enter the portion from other than casualty or theft on Form 4797, line 6.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td></td>
<td>32</td>
</tr>
</tbody>
</table>

---

### Part IV

**Recapture Amounts Under Sections 179 and 280F(b)(2) When Business Use Drops to 50% or Less (see instructions)**

<table>
<thead>
<tr>
<th></th>
<th>Section 179</th>
<th>Section 280F(b)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td>Section 179 expense deduction or depreciation allowable in prior years</td>
<td>33</td>
</tr>
<tr>
<td>34</td>
<td>Recomputed depreciation (see instructions)</td>
<td>34</td>
</tr>
<tr>
<td>35</td>
<td>Recapture amount. Subtract line 34 from line 33. See the instructions for where to report</td>
<td>35</td>
</tr>
</tbody>
</table>
THE JOHN MERCK FUND

23-7082558

1 Enter the gross proceeds from sales or exchanges reported to you for 2008 on Form(s) 1099-B or 1099-S
(or substitute statement) that you are including on line 2, 10, or 20

### Part I
Sales or Exchanges of Property Used in a Trade or Business and Involuntary Conversions From
Other Than Casualty or Theft-Most Property Held More Than 1 Year (see instructions)

<table>
<thead>
<tr>
<th>(a) Description of property</th>
<th>(b) Date acquired (mo., day, yr)</th>
<th>(c) Date sold (mo., day, yr)</th>
<th>(d) Gross sales price</th>
<th>(e) Depreciation allowed or allowable since acquisition</th>
<th>(f) Cost or other basis, plus improvements and expense of sale</th>
<th>(g) Gain or (loss) Subtracted from the sum of (d) and (e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,018</td>
</tr>
</tbody>
</table>

SEE STATEMENT 20

1,018

3 Gain, if any, from Form 4684, line 45
4 Section 1231 gain from installment sales from Form 8252, line 26 or 37
5 Section 1231 gain or (loss) from like-kind exchanges from Form 8824
6 Gain, if any, from line 32, from other than casualty or theft
7 Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows:
   Partnerships (except electing large partnerships) and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below.
   Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you did not have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.
8 Nonrecaptured net section 1231 losses from prior years (see instructions)
9 Subtract line 8 from line 7. If zero or less, enter 0. If line 9 is zero, enter the gain from line 7 on line 12 below. If line 9 is more than zero, enter the amount from line 8 on line 12 below and enter the gain from line 9 as a long-term capital gain on the Schedule D filed with your return (see instructions)

### Part II
Ordinary Gains and Losses (see instructions)

10 Ordinary gains and losses not included on lines 11 through 16 (include property held 1 year or less):

11 Loss, if any, from line 7
12 Gain, if any, from line 7 or amount from line 8, if applicable
13 Gain, if any, from line 31
14 Net gain or (loss) from Form 4684, lines 37 and 44a
15 Ordinary gain from installment sales from Form 6252, line 25 or 36
16 Ordinary gain or (loss) from like-kind exchanges from Form 8824
17 Combine lines 10 through 16
18 For all except individual returns, enter the amount from line 17 on the appropriate line of your return and skip lines a and b below. For individual returns, complete lines a and b below:
   a If the loss on line 11 includes a loss from Form 4684, line 41, column (b)(i), enter that part of the loss here. Enter the part of the loss from income-producing property on Schedule A (Form 1040), line 28, and the part of the loss from property used as an employee on Schedule A (Form 1040), line 23. Identify as from "Form 4797, line 18a." See instructions
   b Redetermine the gain or (loss) on line 17 excluding the loss, if any, on line 18a. Enter here and on Form 1040, line 14

LHA For Paperwork Reduction Act Notice, see separate instructions.

Form 4797 (2008)
The John Merck Fund  
December 31, 2008  

NET OPERATING LOSS SCHEDULE  

<table>
<thead>
<tr>
<th>TAX YEAR</th>
<th>FEDERAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/31/2008</td>
<td>(13,941)</td>
</tr>
<tr>
<td>2 year carryback to 2006 utilized</td>
<td>13,941</td>
</tr>
<tr>
<td>*** Pursuant to IRS publication 536</td>
<td></td>
</tr>
</tbody>
</table>

CARRYFORWARD TO 12/31/09  

Attachment A
## Part III Summary of Parts I and II

<table>
<thead>
<tr>
<th>(1) Beneficiaries</th>
<th>(2) Estate’s or trust’s</th>
<th>(3) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 Net short-term gain or (loss)</td>
<td>&lt;6,415.&gt;</td>
<td>&lt;6,415.&gt;</td>
</tr>
<tr>
<td>14 Net long-term gain or (loss):</td>
<td></td>
<td>691.</td>
</tr>
<tr>
<td>a Total for year</td>
<td>14a</td>
<td>691.</td>
</tr>
<tr>
<td>b Unrecaptured section 1250 gain (see line 18 of the worksheet)</td>
<td>14b</td>
<td></td>
</tr>
<tr>
<td>c 28% rate gain</td>
<td>14c</td>
<td></td>
</tr>
<tr>
<td>15 Total net gain or (loss). Combine lines 13 and 14a</td>
<td>15</td>
<td>&lt;5,724.&gt;</td>
</tr>
</tbody>
</table>

**Note:** If line 15, column (3), is a net gain, enter the gain on Form 1041, line 4 (or Form 990-T, Part I, line 4a). If lines 14a and 15, column (2), are net gains, go to Part V, and do not complete Part IV. If line 15, column (3), is a net loss, complete Part IV and the Capital Loss Carryover Worksheet, as necessary.

## Part IV Capital Loss Limitation

16 Enter here and enter as a (loss) on Form 1041, line 4 (or Form 990-T, Part I, line 4c, if a trust), the smaller of:
   a The loss on line 15, column (3) or
   b $3,000

**Note:** If the loss on line 15, column (3), is more than $3,000, or if Form 1041, page 1, line 22 (or Form 990-T, line 34), is a loss, complete the Capital Loss Carryover Worksheet on page 7 of the instructions to figure your capital loss carryover.

## Part V Tax Computation Using Maximum Capital Gains Rates

Form 1041 filers. Complete this part only if both lines 14a and 15 in column (2) are gains, or an amount is entered in Part I or Part II and there is an entry on Form 1041, line 2b(2), and Form 1041, line 22, is more than zero.

**Caution:** Skip this part and complete the worksheet on page 8 of the instructions if:
- Either line 14b, col. (2) or line 14c, col. (2) is more than zero, or
- Both Form 1041, line 2b(1), and Form 4952, line 4g are more than zero.

Form 990-T trusts. Complete this part only if both lines 14a and 15 are gains, or qualified dividends are included in income in Part I of Form 990-T, and Form 990-T, line 34, is more than zero. Skip this part and complete the worksheet on page 8 of the instructions if either line 14b, col. (2) or line 14c, col. (2) is more than zero.

17 Enter taxable income from Form 1041, line 22 (or Form 990-T, line 34)
18 Enter the smaller of line 14a or 15 in column (2)
   but not less than zero
19 Enter the estate’s or trust’s qualified dividends from Form 1041, line 2b(2) (or enter the qualified dividends included in income in Part I of Form 990-T)
20 Add lines 18 and 19
21 If the estate or trust is filing Form 4952, enter the amount from line 4g, otherwise, enter 0-
22 Subtract line 21 from line 20. If zero or less, enter 0-
23 Subtract line 22 from line 17. If zero or less, enter 0-
24 Enter the smaller of the amount on line 17 or $2,200
25 Is the amount on line 23 equal to or more than the amount on line 24?
   [ ] Yes. Skip lines 25 and 26, go to line 27 and check the "No" box
   [ ] No. Enter the amount from line 23
26 Subtract line 25 from line 24
27 Are the amounts on lines 22 and 26 the same?
   [ ] Yes. Skip lines 27 through 30, go to line 31
   [ ] No. Enter the smaller of line 17 or line 22
28 Enter the amount from line 26 if line 26 is blank, enter 0-
29 Subtract line 28 from line 27
30 Multiply line 29 by 15% (15)
31 Figure the tax on the amount on line 23. Use the 2008 Tax Rate Schedule for Estates and Trusts (see the Schedule 6 instructions)
32 Add lines 30 and 31
33 Figure the tax on the amount on line 17. Use the 2008 Tax Rate Schedule for Estates and Trusts (see the Schedule 6 instructions)
34 Tax on all taxable income. Enter the smaller of line 32 or line 33 here and on line 1a of Schedule G, Form 1041 (or line 36 of Form 990-T)
### Capital Gains and Losses

**Part I**  
**Short-Term Capital Gains and Losses - Assets Held One Year or Less**

<table>
<thead>
<tr>
<th>(a) Description of property</th>
<th>(b) Date acquired (mo., day, yr.)</th>
<th>(c) Date sold (mo., day, yr.)</th>
<th>(d) Sales price</th>
<th>(e) Cost or other basis</th>
<th>(f) Gain or (loss) for the entire year Subtract (e) from (d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 a</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

- **b** Enter the short-term gain or (loss), if any, from Schedule D-1, line 1b

2 Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824

3 Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts

4 Short-term capital loss carryover Enter the amount, if any, from line 9 of the 2007 Capital Loss Carryover Worksheet

5 Net short-term gain or (loss). Combine lines 1a through 4 in column (f) Enter here and on line 13, column (3) on page 2

**Part II**  
**Long-Term Capital Gains and Losses - Assets Held More Than One Year**

<table>
<thead>
<tr>
<th>(a) Description of property</th>
<th>(b) Date acquired (mo., day, yr.)</th>
<th>(c) Date sold (mo., day, yr.)</th>
<th>(d) Sales price</th>
<th>(e) Cost or other basis</th>
<th>(f) Gain or (loss) for the entire year Subtract (e) from (d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 a</td>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

- **b** Enter the long-term gain or (loss), if any, from Schedule D-1, line 6b

7 Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824

8 Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts

9 Capital gain distributions

10 Gain from Form 4797, Part I

11 Long-term capital loss carryover Enter the amount, if any, from line 14 of the 2007 Capital Loss Carryover Worksheet

12 Net long-term gain or (loss). Combine lines 6a through 11 in column (f) Enter here and on line 14a, column (3) on page 2
Schedule G - Investment Income of a Section 501(c)(7), (9), or (17) Organization

<table>
<thead>
<tr>
<th>Description of Income</th>
<th>Amount of Income</th>
<th>Deductions directly connected with production of unrelated business income</th>
<th>Set-asides (attach schedule)</th>
<th>Total deductions and set-asides (col. 3 plus col. 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
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<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Totals: ▶ 0.

Schedule I - Exploited Exempt Activity Income, Other Than Advertising Income

<table>
<thead>
<tr>
<th>Description of exploited activity</th>
<th>Gross unrelated business income from trade or business</th>
<th>Expenses directly connected with production of unrelated business income</th>
<th>Net income (loss) from unrelated trade or business (column 2 minus column 3). If a gain, compute cols. 5 through 7</th>
<th>Gross income from activity that is not unrelated business income</th>
<th>Expenses attributable to column 5</th>
<th>Excess exempt expenses (column 6 minus column 5, but not more than column 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
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<td>(2)</td>
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<td>(4)</td>
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</tr>
</tbody>
</table>

Totals: ▶ 0.

Schedule J - Advertising Income

Part I: Income From Periodicals Reported on a Consolidated Basis

<table>
<thead>
<tr>
<th>Name of periodical</th>
<th>Gross advertising income</th>
<th>Direct advertising costs</th>
<th>Advertising gain or (loss) (col. 2 minus col. 3). If a gain, compute cols. 5 through 7</th>
<th>Circulation income</th>
<th>Readership costs</th>
<th>Excess readership costs (column 6 minus column 5, but not more than column 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
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<td>(3)</td>
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<tr>
<td>(4)</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Totals: ▶ 0.

Part II: Income From Periodicals Reported on a Separate Basis (For each periodical listed in Part I, fill in columns 2 through 7 on a line-by-line basis.)

<table>
<thead>
<tr>
<th>Name of periodical</th>
<th>Gross advertising income</th>
<th>Direct advertising costs</th>
<th>Advertising gain or (loss) (col. 2 minus col. 3). If a gain, compute cols. 5 through 7</th>
<th>Circulation income</th>
<th>Readership costs</th>
<th>Excess readership costs (column 6 minus column 5, but not more than column 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
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<td>(3)</td>
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<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Totals from Part I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.</td>
</tr>
</tbody>
</table>

Totals, Part II (lines 1-5): ▶ 0.

Schedule K - Compensation of Officers, Directors, and Trustees

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Percent of time devoted to business</th>
<th>Compensation attributable to unrelated business</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: Enter here and on page 1, Part II, line 14 ▶ 0.

Form 990-T (2008)

15570901 756359 622925 2008.04.020 THE JOHN MERCK FUND 622925_1
Form 8888 (Rev 4-2009)

* If you are filing for an Additional (Not Automatic) 3-Month Extension, complete only Part II and check this box. 

Note: Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8888.

* If you are filing for an Automatic 3-Month Extension, complete only Part I (on page 1).

### Part II: Additional (Not Automatic) 3-Month Extension of Time

<table>
<thead>
<tr>
<th>Name of Exempt Organization</th>
<th>Employer identification number</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE JOHN MERCK FUND</td>
<td>23-7082558</td>
</tr>
</tbody>
</table>

File by the extended due date for filing the return. See instructions.

- Number, street, and room or suite no. If a P.O. box, see instructions.
  
2 OLIVER STREET

- City, town or post office, state, and ZIP code. For a foreign address, see instructions.
  
BOSTON, MA 02109

Check type of return to be filed (File a separate application for each return):

- Form 990
- Form 990-EZ
- Form 990-T (sec. 401(a) or 408(a) trust)
- Form 1041-A
- Form 5227
- Form 8870
- Form 990-BL
- Form 990-PF
- Form 990-T (trust other than above)
- Form 4720
- Form 6069

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8888.

- The books are in the care of
  
2 OLIVER STREET - BOSTON, MA 02109

- Telephone No. 617-556-4120  FAX No.

- If the organization does not have an office or place of business in the United States, check this box.

- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN)_________. If this is for the whole group, check this box. If it is for part of the group, check this box and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until November 15, 2009.

5 For calendar year 2008, or other tax year beginning , and ending

6 If this tax year is for less than 12 months, check reason:
  - Initial return
  - Final return
  - Change in accounting period

7 State in detail why you need the extension:

ADDITIONAL TIME IS NEEDED TO COMPILE THE INFORMATION NECESSARY TO FILE A COMPLETE AND ACCURATE RETURN.

8a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.

8a $ 50,757.

8b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8888.

8b $ 50,757.

8c Balance Due. Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.

8c $ 0.

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature: [Signature]
Title: [Title] CPA
Date: 7/29/09

Form 8888 (Rev 4-2009)

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823632
05-29-09

12220729 756359 622925 2008.04010 THE JOHN MERCK FUND 622925_1
Application for Extension of Time To File an Exempt Organization Return

Form 8868
(Rev. April 2009)
Department of the Treasury
Internal Revenue Service

File a separate application for each return.

OMB No. 1545-1709

1. If you are filing for an Automatic 3-Month Extension, complete only Part I and check this box

2. If you are filing for an Additional (Not Automatic) 3-Month Extension, complete only Part II (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.

Part I

Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 8069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/e-file and click on e-file for Charities & Nonprofits.

Type or print
File by the due date for filing your return. See instructions

Name of Exempt Organization
THE JOHN MERCK FUND
2 OLIVER STREET
BOSTON, MA 02109

Employer identification number
23-7082558

Check type of return to be filed (file a separate application for each return):

☐ Form 990
☐ Form 990-BL
☐ Form 990-EZ
☐ Form 990-PF

☐ Form 990-T (corporation)
☐ Form 990-T (sec. 401(a) or 408(a) trust)
☐ Form 1041-A

☐ Form 4720
☐ Form 5227
☐ Form 6069
☐ Form 8870

The books are in the care of
2 OLIVER STREET - BOSTON, MA 02109

Telephone No. ☐ 617-556-4120 ☐ FAX No. ☐

☐ If the organization does not have an office or place of business in the United States, check this box

☐ If this is for a Group Return, enter the organization’s four digit Group Exemption Number (GEN) _________ . If this is for the whole group, check this box ☐ . If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension will cover.

1. I request an automatic 3-month (6-months for a corporation required to file Form 990-T) extension of time until

AUGUST 15, 2009 , to file the exempt organization return for the organization named above. The extension is for the organization’s return for:

☐ calendar year 2008 or

☐ tax year beginning , ending .

2. If this tax year is for less than 12 months, check reason:

☐ Initial return
☐ Final return
☐ Change in accounting period

3a. If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.

3a $ 50,757.

b. If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.

3b $ 40,757.

c. Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System).

3c $ 10,000.

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

LHA For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

Form 8868 (Rev. 4-2009)
Part III  Tax Computation

35 Organizations Taxable as Corporations. See instructions for tax computation
   Controlled group members (sections 1561 and 1563) check here ▶ See Instructions and
   a Enter your share of the $50,000, $25,000, and $9,925,000 taxable income brackets (in that order):
      (1) $ ▶ 35c
      (2) $ ▶ 35c
      (3) $ ▶ 35c
   b Enter organization’s share of:
      (1) Additional 5% tax (not more than $11,750) $ ▶ 36
      (2) Additional 3% tax (not more than $100,000) $ ▶ 36
   c Income tax on the amount on line 34 ▶ 36

36 Trusts Taxable at Trust Rates. See instructions for tax computation. Income tax on the amount on line 34 from:
   ▶ X Tax rate schedule or ▶ Schedule D (Form 1041) ▶ 37

37 Proxy tax. See instructions ▶ 37

38 Alternative minimum tax ▶ 38

39 Total. Add lines 37 and 38 to line 35c or 36, whichever applies ▶ 39

Part IV  Tax and Payments

40a Foreign tax credit (corporations attach Form 1118, trusts attach Form 1116) 40a
   b Other credits (see instructions) 40b
   c General business credit Attach Form 3800 40c
   d Credit for prior year minimum tax (attach Form 8801 or 8827) 40d
   e Total credits. Add lines 40a through 40d ▶ 40e

41 Subtract line 40a from line 39 ▶ 41

42 Other taxes. Check if from: ▶ Form 4255 ▶ Form 8611 ▶ Form 8697 ▶ Form 8866 ▶ Other (attach schedule) 42

43 Total tax. Add lines 41 and 42 ▶ 43

44 Payments. Add or subtract 2008 overpayment credited to 2008 ▶ 44
   a 2007 overpayment credited to 2008 44a 20,757
   b 2008 estimated tax payments 44b 20,000
   c Tax deposited with Form 8868 44c 10,000
   d Foreign organizations. Tax paid or withheld at source (see instructions) 44d
   e Backup withholding (see instructions) 44e

45 Total payments. Add lines 44a through 44f ▶ 45

46 Estimated tax penalty (see instructions). Check if Form 2220 is attached ▶ 46

47 Tax due. If line 45 is less than the total of lines 43 and 46, enter amount owed ▶ 47

48 Overpayment. If line 45 is larger than the total of lines 43 and 46, enter amount overpaid ▶ 48

49 Enter the amount of line 48 you want credited to 2009 estimated tax ▶ 49

Part V  Statements Regarding Certain Activities and Other Information

1 At any time during the 2008 calendar year, did the organization have an interest in or a signature or other authority over a financial account (bank, securities, or other) in a foreign country? If YES, the organization may have to file Form TDF 90-22.1, Report of Foreign Bank and
   Financial Accounts. If YES, enter the name of the foreign country here ▶ CAYMAN ISLANDS
   X

2 During the tax year, did the organization receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If YES, page 5 of the instructions for other forms the organization may have to file
   X

3 Enter the amount of tax-exempt interest received or accrued during the tax year ▶ $

Schedule A - Cost of Goods Sold. Enter method of inventory valuation ▶ N/A

1 Inventory at beginning of year 1
2 Purchases 2
3 Cost of labor 3
4a Additional section 263A costs 4a
4b Other costs (attach schedule) 4b
5 Total. Add lines 1 through 4b 5

Sign Here

Signature of officer ▶ Assistant Treasurer

Paid Preparer's Use Only

Preparer's signature ▶ Date 03-09-09
Preparer's SSN or PTIN ▶ P00234022
Preparer's signature ▶ Date 03-09-09
Preparer's SSN or PTIN ▶ P00234022

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

May the IRS discuss this return with the preparer shown below (see instructions)? ▶ Yes ▶ No

823711 03-09-09

15570901 756359 622925 2008.04020 THE JOHN MERCK FUND 622925_1