

2/13/10

03:32PM

EX10F-CA

During 2009, Joe had total trading proceeds over \$20 million and total roundtrip trades of over 1,000 per review of the GTT TradeLog reports. Trading was Joe's only occupation in 2009 and source of livelihood. Joe qualifies as a "trader in commodities" (i.e., he has trader tax status), so he reports all his trading business expenses on Schedule C (Business Profit and Loss). Notice that there is no limitation on these ordinary trading expenses.

Commodity trading gains and losses are reported on Form 6781. Since Joe elected mark-to-market accounting (MTM) on his commodities trading, he reports his commodities trading loss first on Form 6781 and then transfers the net Form 6781 amount to Form 4797 Part II - Ordinary gain or loss.

Net Operating Losses: Joe does benefit from having a Net Operating Loss (NOL) from his MTM commodity loss and Schedule C business expenses with trader tax status. His NOL is comprised of his Schedule C trading business expenses and commodities loss (since MTM was elected). Joe has an option to carry-back the 2009 NOL up to five years, starting with tax year 2004, to get a quick NOL refund by filing Form 1045. If Joe decides not to carry-back the 2009 NOL, he can elect with the filing of his 2009 tax return to forgo the carry-back and simply carry-forward the 2009 NOL to tax year 2010.

A Form 3115 is also required to be filed for commodities traders who elected IRC 475(f)(2) mark-to-market accounting for 2009. Unlike the Form 3115 for securities traders, the Form 3115 for commodities traders does not need a Section 481 adjustment (i.e. the Form 3115 will report a "zero" Section 481 adjustment). Commodities are already marked-to-market in accordance with Section 1256 contract law. Therefore, there is no amount generated from this change of accounting method, which is what a Section 481 adjustment is for. Applicants filing under any automatic change procedures (the case for Traders electing IRC 475(f)) generally must complete and file an application in duplicate. The original must be attached to the taxpayer's timely filed (including extensions) original Federal income tax return for the year of the change. A copy of the application must be filed with the IRS National Office no earlier than the first day of the year of change and no later than when the original is filed with the Federal income tax return for the year of the change.

**Label**  
(See instructions.)

**Use the IRS label.**  
Otherwise, please print or type.

**Presidential Election Campaign**

For the year Jan 1 - Dec 31, 2009, or other tax year beginning , 2009, ending , 20		OMB No. 1545-0074
Your first name MI Last name	<b>Your social security number</b>	
Joe Trader MTM Comm Loss Ex 10	999-99-9999	
If a joint return, spouse's first name MI Last name	<b>Spouse's social security number</b>	
Home address (number and street). If you have a P.O. box, see instructions. Apartment no.		You <b>must</b> enter your social security number(s) above. ▲
any street		
City, town or post office. If you have a foreign address, see instructions. State ZIP code		Checking a box below will not change your tax or refund.
Los Angeles, CA 90025		
Check here if you, or your spouse if filing jointly, want \$3 to go to this fund? (see instructions) <input checked="" type="checkbox"/> <b>You</b> <input type="checkbox"/> <b>Spouse</b>		

**Filing Status**

Check only one box.

1 <input checked="" type="checkbox"/> Single	4 <input type="checkbox"/> Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here .
2 <input type="checkbox"/> Married filing jointly (even if only one had income)	
3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above & full name here .	5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see instructions)

**Exemptions**

If more than four dependents, see instructions and check here ☐

6a <input checked="" type="checkbox"/> <b>Yourself.</b> If someone can claim you as a dependent, <b>do not</b> check box 6a	Boxes checked on 6a and 6b .. 1	
b <input type="checkbox"/> <b>Spouse.</b>	No. of children on 6c who:	
c <b>Dependents:</b>		
(1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you
		(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see instrs)
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
d Total number of exemptions claimed. 1		

**Income**

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

Enclose, but do not attach, any payment. Also, please use Form 1040-V.

7 Wages, salaries, tips, etc. Attach Form(s) W-2	7	
8a <b>Taxable</b> interest. Attach Schedule B if required	8a	62.
b <b>Tax-exempt</b> interest. <b>Do not</b> include on line 8a	8b	
9a Ordinary dividends. Attach Schedule B if required	9a	897.
b Qualified dividends (see instrs)	9b	897.
10 Taxable refunds, credits, or offsets of state and local income taxes (see instructions)	10	
11 Alimony received	11	
12 Business income or (loss). Attach Schedule C or C-EZ	12	-35,293.
13 Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here .	13	15,366.
14 Other gains or (losses). Attach Form 4797	14	-79,186.
15a IRA distributions	15a	
b Taxable amount (see instrs)	15b	
16a Pensions and annuities	16a	
b Taxable amount (see instrs)	16b	
17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17	
18 Farm income or (loss). Attach Schedule F	18	
19 Unemployment compensation in excess of \$2,400 per recipient (see instructions)	19	
20a Social security benefits	20a	
b Taxable amount (see instrs)	20b	
21 Other income	21	
22 Add the amounts in the far right column for lines 7 through 21. This is your <b>total income</b>	22	-98,154.

**Adjusted Gross Income**

23 Educator expenses (see instructions)	23	
24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	
25 Health savings account deduction. Attach Form 8889	25	
26 Moving expenses. Attach Form 3903	26	
27 One-half of self-employment tax. Attach Schedule SE	27	
28 Self-employed SEP, SIMPLE, and qualified plans	28	
29 Self-employed health insurance deduction (see instructions)	29	
30 Penalty on early withdrawal of savings	30	
31a Alimony paid b Recipient's SSN . . .	31a	
32 IRA deduction (see instructions)	32	
33 Student loan interest deduction (see instructions)	33	
34 Tuition and fees deduction. Attach Form 8917	34	
35 Domestic production activities deduction. Attach Form 8903	35	
36 Add lines 23 - 31a and 32 - 35	36	0.
37 Subtract line 36 from line 22. This is your <b>adjusted gross income</b>	37	-98,154.

**Tax and Credits****Standard Deduction for —**

• People who check any box on line 39a, 39b, or 40b or who can be claimed as a dependent, see instructions.

• All others:

Single or Married filing separately, \$5,700

Married filing jointly or Qualifying widow(er), \$11,400

Head of household, \$8,350

38 Amount from line 37 (adjusted gross income) 38 -98,154.

39a Check if: ☐ You were born before January 2, 1945, ☐ Blind. Total boxes checked ☐ 39a ☐ Spouse was born before January 2, 1945, ☐ Blind. 39b ☐

b If your spouse itemizes on a separate return, or you were a dual-status alien, see instrs and ck here 39b ☐

40a Itemized deductions (from Schedule A) or your standard deduction (see left margin) 40a 5,700.

b If you are increasing your standard deduction by certain real estate taxes, new motor vehicle taxes, or a net disaster loss, attach Schedule L and check here (see instructions) 40b ☐

41 Subtract line 40a from line 38 41 -103,854.

42 Exemptions. If line 38 is \$125,100 or less and you did not provide housing to a Midwestern displaced individual, multiply \$3,650 by the number on line 6d. Otherwise, see instructions. 42 3,650.

43 Taxable income. Subtract line 42 from line 41. 43 0.

If line 42 is more than line 41, enter -0-

44 Tax (see instrs). Check if any tax is from: a ☐ Form(s) 8814 44 0.

b ☐ Form 4972. 45 0.

45 Alternative minimum tax (see instructions). Attach Form 6251 45 0.

46 Add lines 44 and 45 46 0.

47 Foreign tax credit. Attach Form 1116 if required. 47

48 Credit for child and dependent care expenses. Attach Form 2441. 48

49 Education credits from Form 8863, line 29. 49

50 Retirement savings contributions credit. Attach Form 8880. 50

51 Child tax credit (see instructions). 51

52 Credits from Form: a ☐ 8396 b ☐ 8839 c ☐ 5695 52

53 Other crs from Form: a ☐ 3800 b ☐ 8801 c ☐ 53

54 Add lines 47 through 53. These are your total credits 54

55 Subtract line 54 from line 46. If line 54 is more than line 46, enter -0- 55 0.

**Other Taxes**

56 Self-employment tax. Attach Schedule SE. 56

57 Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919 57

58 Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required. 58

59 Additional taxes: a ☐ AEIC payments b ☐ Household employment taxes. Attach Schedule H. 59

60 Add lines 55-59. This is your total tax. 60 0.

**Payments**

If you have a qualifying child, attach Schedule EIC.

61 Federal income tax withheld from Forms W-2 and 1099. 61

62 2009 estimated tax payments and amount applied from 2008 return. 62

63 Making work pay and government retiree credit. Attach Schedule M. 63

64a Earned income credit (EIC) No 64a

b Nontaxable combat pay election. 64b

65 Additional child tax credit. Attach Form 8812. 65

66 Refundable education credit from Form 8863, line 16. 66

67 First-time homebuyer credit. Attach Form 5405. 67

68 Amount paid with request for extension to file (see instructions). 68

69 Excess social security and tier 1 RRTA tax withheld (see instructions). 69

70 Credits from Form: a ☐ 2439 b ☐ 4136 c ☐ 8801 d ☐ 8885. 70

71 Add lns 61-63, 64a, & 65-70. These are your total pmts 71 0.

**Refund**

Direct deposit? See instructions and fill in 73b, 73c, and 73d or Form 8888.

72 If line 71 is more than line 60, subtract line 60 from line 71. This is the amount you overpaid 72

73a Amount of line 72 you want refunded to you. If Form 8888 is attached, check here. 73a

b Routing number. c Type: ☐ Checking ☐ Savings

d Account number.

74 Amount of line 72 you want applied to your 2010 estimated tax. 74

**Amount You Owe**

75 Amount you owe. Subtract line 71 from line 60. For details on how to pay, see instructions. 75 0.

76 Estimated tax penalty (see instructions). 76

**Third Party Designee**

Do you want to allow another person to discuss this return with the IRS (see instructions)? ☒ Yes. Complete the following. ☐ No

Designee's name z Examples Phone no. 877-662-2014 Personal identification number (PIN)

**Sign Here**

Joint return? See instructions.

Keep a copy for your records.

Your signature Date Your occupation Trader Daytime phone number

Spouse's signature. If a joint return, both must sign. Date Spouse's occupation

**Paid Preparer's Use Only**

Preparer's signature z Examples Date Check if self-employed

Firm's name (or yours if self-employed) Green & Company CPAs, LLC EIN 20-0751653

54 Danbury Rd., #351 Phone no. 877-662-2014

Ridgefield, CT 06877

**SCHEDULE B**  
**(Form 1040A or 1040)**Department of the Treasury  
Internal Revenue Service (99)**Interest and Ordinary Dividends**▶ **Attach to Form 1040A or 1040.**▶ **See Instructions.**

OMB No. 1545-0074

**2009**Attachment  
Sequence No. **08**

Name(s) shown on return

Joe Trader MTM Comm Loss Ex 10

Your social security number

999-99-9999

**Part I**  
**Interest**(See  
instructions for  
Form 1040A,  
or Form 1040,  
line 8a.)**Note.** If you  
received a Form  
1099-INT, Form  
1099-OID, or  
substitute statement  
from a brokerage  
firm, list the firm's  
name as the payer  
and enter the total  
interest shown on  
that form.

- 1**
- List name of payer. If any interest is from a seller-financed mortgage and the buyer used the property as a personal residence, see the instructions and list this interest first. Also, show that buyer's social security number and address.

Interactive Brokers - trading a/c**Amount**

62.

**1**

- 2**
- Add the amounts on line 1

62.

- 3**
- Excludable interest on series EE and I U.S. savings bonds issued after 1989.
- 
- Attach Form 8815

**3**

- 4**
- Subtract line 3 from line 2. Enter the result here and on Form 1040A, or Form 1040, line 8a.

**4**

62.

**Note.** If line 4 is over \$1,500, you must complete Part III.**Amount****Part II**  
**Ordinary Dividends**(See  
instructions for  
Form 1040A, or  
Form 1040,  
line 9a.)**Note.** If you  
received a Form  
1099-DIV or  
substitute statement  
from a brokerage  
firm, list the firm's  
name as the payer  
and enter the  
ordinary dividends  
shown on that form.

- 5**
- List name of payer

Schwab - invest a/c

897.

**5**

- 6**
- Add the amounts on line 5. Enter the total here and on Form 1040A, or Form 1040, line 9a.

**6**

897.

**Note.** If line 6 is over \$1,500, you must complete Part III.**Part III**  
**Foreign Accounts and Trusts**(See  
instructions.)You must complete this part if you **(a)** had over \$1,500 of taxable interest or ordinary dividends; **(b)** had a foreign account; or **(c)** received a distribution from, or were a grantor of, or a transferor to, a foreign trust.**Yes****No**

- 7a**
- At any time during 2009, did you have an interest in or a signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account? See instructions for exceptions and filing requirements for Form TD F 90-22.1

- b**
- If 'Yes,' enter the name of the foreign country

- 8**
- During 2009, did you receive a distribution from, or were you the grantor of, or transferor to, a foreign trust? If 'Yes,' you may have to file Form 3520. See instructions

**X**

**SCHEDULE C**  
**(Form 1040)**

Department of the Treasury  
Internal Revenue Service (99)

**Profit or Loss From Business**  
**(Sole Proprietorship)**

► **Partnerships, joint ventures, etc., generally must file Form 1065 or 1065-B.**  
► **Attach to Form 1040, 1040NR, or 1041.** ► **See Instructions for Schedule C (Form 1040).**

OMB No. 1545-0074

**2009**

Attachment  
Sequence No. **09**

Name of proprietor

Joe Trader MTM Comm Loss Ex 10

Social security number (SSN)

999-99-9999

**A** Principal business or profession, including product or service (see instructions)

Trader in Commodities - Mark-to-Market accounting

**B** Enter code from instructions

► 523130

**C** Business name. If no separate business name, leave blank.

**D** Employer ID number (EIN), if any

**E** Business address (including suite or room no.) ►

City, town or post office, state, and ZIP code

**F** Accounting method: (1) ☐ Cash (2) ☐ Accrual (3) ☒ Other (specify) ► Sec 475(f)(2)-Note

**G** Did you 'materially participate' in the operation of this business during 2009? If 'No,' see instructions for limit on losses... ☒ Yes ☐ No

**H** If you started or acquired this business during 2009, check here. ☒

**Part I** **Income**

**1** Gross receipts or sales. **Caution.** See the instructions and check the box if:

- This income was reported to you on Form W-2 and the 'Statutory employee' box on that form was checked, or
- You are a member of a qualified joint venture reporting only rental real estate income not subject to self-employment tax. Also see instructions for limit on losses. ☐

**2** Returns and allowances. ....

**3** Subtract line 2 from line 1. ....

**4** Cost of goods sold (from line 42 on page 2) ....

**5** **Gross profit.** Subtract line 4 from line 3. ....

**6** Other income, including federal and state gasoline or fuel tax credit or refund (see instructions) ....

**7** **Gross income.** Add lines 5 and 6. ....

**Part II** **Expenses.** Enter expenses for business use of your home **only** on line 30.

**8** Advertising. ....

**9** Car and truck expenses (see instructions) ....

**10** Commissions and fees. ....

**11** Contract labor (see instructions) ....

**12** Depletion. ....

**13** Depreciation and section 179 expense deduction (not included in Part III) (see instructions) ....

**14** Employee benefit programs (other than on line 19) ....

**15** Insurance (other than health) ...

**16** Interest:

**a** Mortgage (paid to banks, etc) ....

**b** Other. ....

**17** Legal & professional services. ...

**18** Office expense. ....

**19** Pension and profit-sharing plans. ....

**20** Rent or lease (see instructions):

**a** Vehicles, machinery, and equipment ....

**b** Other business property. ....

**21** Repairs and maintenance. ....

**22** Supplies (not included in Part III) ....

**23** Taxes and licenses. ....

**24** Travel, meals, and entertainment:

**a** Travel. ....

**b** Deductible meals and entertainment (see instructions) ....

**25** Utilities. ....

**26** Wages (less employment credits) ....

**27** Other expenses (from line 48 on page 2) ....

**28** **Total expenses** before expenses for business use of home. Add lines 8 through 27. ....

**29** Tentative profit or (loss). Subtract line 28 from line 7. ....

**30** Expenses for business use of your home. Attach **Form 8829**. ....

**31** **Net profit or (loss).** Subtract line 30 from line 29.

- If a profit, enter on both **Form 1040, line 12**, and **Schedule SE, line 2** or on **Form 1040NR, line 13** (if you checked the box on line 1, see instructions). Estates and trusts, enter on **Form 1041, line 3**.

- If a loss, you **must** go to line 32.

**32** If you have a loss, check the box that describes your investment in this activity (see instructions).

- If you checked 32a, enter the loss on both **Form 1040, line 12**, and **Schedule SE, line 2**, or on **Form 1040NR, line 13** (if you checked the box on line 1, see the line 31 instructions). Estates and trusts, enter on **Form 1041, line 3**.

- If you checked 32b, you **must** attach **Form 6198**. Your loss may be limited.

**32 a** ☒ All investment is at risk.

**32 b** ☐ Some investment is not at risk.

**BAA** For Paperwork Reduction Act Notice, see **Form 1040** instructions.

Schedule **C** (Form 1040) 2009

**Part III Cost of Goods Sold** (see instructions)

<b>33</b> Method(s) used to value closing inventory: a <input type="checkbox"/> Cost b <input type="checkbox"/> Lower of cost or market c <input type="checkbox"/> Other (attach explanation)	
<b>34</b> Was there any change in determining quantities, costs, or valuations between opening and closing inventory? If 'Yes,' attach explanation	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>35</b> Inventory at beginning of year. If different from last year's closing inventory, attach explanation	<b>35</b>
<b>36</b> Purchases less cost of items withdrawn for personal use	<b>36</b>
<b>37</b> Cost of labor. Do not include any amounts paid to yourself.	<b>37</b>
<b>38</b> Materials and supplies	<b>38</b>
<b>39</b> Other costs	<b>39</b>
<b>40</b> Add lines 35 through 39.	<b>40</b>
<b>41</b> Inventory at end of year.	<b>41</b>
<b>42</b> <b>Cost of goods sold.</b> Subtract line 41 from line 40. Enter the result here and on page 1, line 4.	<b>42</b>

**Part IV Information on Your Vehicle.** Complete this part **only** if you are claiming car or truck expenses on line 9 and are not required to file Form 4562 for this business. See the instructions for line 13 to find out if you must file Form 4562.

**43** When did you place your vehicle in service for business purposes? (month, day, year) ▶ \_\_\_\_\_

**44** Of the total number of miles you drove your vehicle during 2009, enter the number of miles you used your vehicle for:  
a Business \_\_\_\_\_ b Commuting (see instructions) \_\_\_\_\_ c Other \_\_\_\_\_

**45** Was your vehicle available for personal use during off-duty hours? ☐ Yes ☐ No

**46** Do you (or your spouse) have another vehicle available for personal use? ☐ Yes ☐ No

**47a** Do you have evidence to support your deduction? ☐ Yes ☐ No

**b** If 'Yes,' is the evidence written? ☐ Yes ☐ No

**Part V Other Expenses.** List below business expenses not included on lines 8-26 or line 30.

See Statement 1	
<b>48</b> <b>Total other expenses.</b> Enter here and on page 1, line 27	<b>48</b> 10,612.

**SCHEDULE D**  
**(Form 1040)**

Department of the Treasury  
Internal Revenue Service (99)

Name(s) shown on return

**Capital Gains and Losses**

► **Attach to Form 1040 or Form 1040NR.** ► **See Instructions for Schedule D (Form 1040).**  
► **Use Schedule D-1 to list additional transactions for lines 1 and 8.**

OMB No. 1545-0074

**2009**

Attachment  
Sequence No. **12**

Your social security number

Joe Trader MTM Comm Loss Ex 10

999-99-9999

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

(a) Description of property (Example: 100 shares XYZ Co)	(b) Date acquired (Mo, day, yr)	(c) Date sold (Mo, day, yr)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
1					
2 Enter your short-term totals, if any, from Schedule D-1, line 2 . . .	2				
3 <b>Total short-term sales price amounts.</b> Add lines 1 and 2 in column (d) . . . . .	3				
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824 . . . . .	4				
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1 . . . . .	5				
6 Short-term capital loss carryover. Enter the amount, if any, from line 10 of your <b>Capital Loss Carryover Worksheet</b> in the instructions . . . . .	6				
7 <b>Net short-term capital gain or (loss).</b> Combine lines 1 through 6 in column (f) . . . . .	7				

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

(a) Description of property (Example: 100 shares XYZ Co)	(b) Date acquired (Mo, day, yr)	(c) Date sold (Mo, day, yr)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
8 Google stock - Schwab investment a/c Various	Various	Various	875,105.	859,739.	15,366.
9 Enter your long-term totals, if any, from Schedule D-1, line 9 . . .	9				
10 <b>Total long-term sales price amounts.</b> Add lines 8 and 9 in column (d) . . . . .	10		875,105.		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824 . . . . .	11				
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1 . . . . .	12				
13 Capital gain distributions. See instrs . . . . .	13				
14 Long-term capital loss carryover. Enter the amount, if any, from line 15 of your <b>Capital Loss Carryover Worksheet</b> in the instructions . . . . .	14				
15 <b>Net long-term capital gain or (loss).</b> Combine lines 8 through 14 in column (f). Then go to Part III on page 2 . . . . .	15				15,366.

**BAA For Paperwork Reduction Act Notice, see Form 1040 or Form 1040NR instructions.**

Schedule **D** (Form 1040) 2009

**Part III Summary**

16 Combine lines 7 and 15 and enter the result.....	<b>16</b>	15,366.
If line 16 is:		
<ul style="list-style-type: none"> <li>• A <b>gain</b>, enter the amount from line 16 on Form 1040, line 13, or Form 1040NR, line 14. Then go to line 17 below.</li> <li>• A <b>loss</b>, skip lines 17 through 20 below. Then go to line 21. Also be sure to complete line 22.</li> <li>• <b>Zero</b>, skip lines 17 through 21 below and enter -0- on Form 1040, line 13, or Form 1040NR, line 14. Then go to line 22.</li> </ul>		
17 Are lines 15 and 16 <b>both</b> gains?		
<input type="checkbox"/> <b>Yes.</b> Go to line 18.		
<input type="checkbox"/> <b>No.</b> Skip lines 18 through 21, and go to line 22.		
18 Enter the amount, if any, from line 7 of the <b>28% Rate Gain Worksheet</b> in the instructions.....	<b>18</b>	
19 Enter the amount, if any, from line 18 of the <b>Unrecaptured Section 1250 Gain Worksheet</b> in the instructions.....	<b>19</b>	
20 Are lines 18 and 19 <b>both</b> zero or blank?		
<input type="checkbox"/> <b>Yes.</b> Complete Form 1040 through line 43, or Form 1040NR through line 40. Then complete the <b>Qualified Dividends and Capital Gain Tax Worksheet</b> in the Instructions for Form 1040 (or in the Instructions for Form 1040NR). <b>Do not</b> complete lines 21 and 22 below.		
<input type="checkbox"/> <b>No.</b> Complete Form 1040 through line 43, or Form 1040NR through line 40. Then complete the <b>Schedule D Tax Worksheet</b> in the instructions. <b>Do not</b> complete lines 21 and 22 below.		
21 If line 16 is a loss, enter here and on Form 1040, line 13, or Form 1040NR, line 14, the <b>smaller</b> of:		
<ul style="list-style-type: none"> <li>• The loss on line 16 or</li> <li>• (\$3,000), or if married filing separately, (\$1,500)</li> </ul>	<b>21</b>	
<b>Note.</b> When figuring which amount is smaller, treat both amounts as positive numbers.		
22 Do you have qualified dividends on Form 1040, line 9b, or Form 1040NR, line 10b?		
<input type="checkbox"/> <b>Yes.</b> Complete Form 1040 through line 43, or Form 1040NR through line 40. Then complete the <b>Qualified Dividends and Capital Gain Tax Worksheet</b> in the Instructions for Form 1040 (or in the Instructions for Form 1040NR).		
<input type="checkbox"/> <b>No.</b> Complete the rest of Form 1040 or Form 1040NR.		



Form **4797**Department of the Treasury  
Internal Revenue Service (99)**Sales of Business Property**  
(Also Involuntary Conversions and Recapture Amounts  
Under Sections 179 and 280F(b)(2))

▶ Attach to your tax return. ▶ See separate instructions.

OMB No. 1545-0184

**2009**Attachment  
Sequence No. **27**

Name(s) shown on return

Joe Trader MTM Comm Loss Ex 10

Identifying number

999-99-9999

1 Enter the gross proceeds from sales or exchanges reported to you for 2009 on Form(s) 1099-B or 1099-S  
(or substitute statement) that you are including on line 2, 10, or 20 (see instructions).....

1

**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)

2	(a) Description of property	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Gross sales price	(e) Depreciation allowed or allowable since acquisition	(f) Cost or other basis, plus improvements and expense of sale	(g) Gain or (loss) Subtract (f) from the sum of (d) and (e)
3	Gain, if any, from Form 4684, line 43 .....						3
4	Section 1231 gain from installment sales from Form 6252, line 26 or 37 .....						4
5	Section 1231 gain or (loss) from like-kind exchanges from Form 8824 .....						5
6	Gain, if any, from line 32, from other than casualty or theft .....						6
7	Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows. ....						7
<b>Partnerships (except electing large partnerships) and S corporations.</b> 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.							
<b>Individuals, partners, S corporation shareholders, and all others.</b> 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) .....						8
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) .....						9

**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):

Transfer comm loss from Form 6781-Note (Trader Transaction)						
	Various	Various				-79,186.

11	Loss, if any, from line 7 .....	11	
12	Gain, if any, from line 7 or amount from line 8, if applicable .....	12	
13	Gain, if any, from line 31 .....	13	
14	Net gain or (loss) from Form 4684, lines 35 and 42a .....	14	
15	Ordinary gain from installment sales from Form 6252, line 25 or 36 .....	15	
16	Ordinary gain or (loss) from like-kind exchanges from Form 8824 .....	16	
17	Combine lines 10 through 16 .....	17	-79,186.
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 39, column (b)(ii), 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 .....	18a	
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 .....	18b	-79,186.

BAA For Paperwork Reduction Act Notice, see separate instructions.

Form **4797** (2009)

Form **6251**Department of the Treasury  
Internal Revenue Service (99)**Alternative Minimum Tax — Individuals**▶ See separate instructions.  
▶ Attach to Form 1040 or Form 1040NR.

OMB No. 1545-0074

**2009**Attachment  
Sequence No. **32**

Name(s) shown on Form 1040 or Form 1040NR

Your social security number

Joe Trader MTM Comm Loss Ex 10

999-99-9999

**Part I Alternative Minimum Taxable Income** (See instructions for how to complete each line.)

1	If filing Schedule A (Form 1040), enter the amount from Form 1040, line 41 (minus any amount on Form 8914, line 6), and go to line 2. Otherwise, enter the amount from Form 1040, line 38 (minus any amount on Form 8914, line 6), and go to line 7. (If less than zero, enter as a negative amount.)	1	-98,154.
2	Medical and dental. Enter the <b>smaller</b> of Schedule A (Form 1040), line 4 or 2.5% (.025) of Form 1040, line 38. If zero or less, enter -0-	2	
3	Taxes from Schedule A (Form 1040), lines 5, 6, and 8	3	
4	Enter the home mortgage interest adjustment, if any, from line 6 of the worksheet in the instructions	4	
5	Miscellaneous deductions from Schedule A (Form 1040), line 27	5	
6	If Form 1040, line 38, is over \$166,800 (over \$83,400 if married filing separately), enter the amount from line 11 of the <b>Itemized Deductions Worksheet</b> in the Instructions for Schedule A (Form 1040).	6	
7	If filing Schedule L (Form 1040A or 1040), enter as a negative amount the sum of lines 6 and 20 from that schedule	7	
8	Tax refund from Form 1040, line 10 or line 21	8	
9	Investment interest expense (difference between regular tax and AMT)	9	
10	Depletion (difference between regular tax and AMT)	10	
11	Net operating loss deduction from Form 1040, line 21. Enter as a positive amount	11	
12	Alternative tax net operating loss deduction	12	
13	Interest from specified private activity bonds exempt from the regular tax	13	
14	Qualified small business stock (7% of gain excluded under section 1202)	14	
15	Exercise of incentive stock options (excess of AMT income over regular tax income)	15	
16	Estates and trusts (amount from Schedule K-1 (Form 1041), box 12, code A)	16	
17	Electing large partnerships (amount from Schedule K-1 (Form 1065-B), box 6)	17	
18	Disposition of property (difference between AMT and regular tax gain or loss)	18	
19	Depreciation on assets placed in service after 1986 (difference between regular tax and AMT)	19	
20	Passive activities (difference between AMT and regular tax income or loss)	20	
21	Loss limitations (difference between AMT and regular tax income or loss)	21	
22	Circulation costs (difference between regular tax and AMT)	22	
23	Long-term contracts (difference between AMT and regular tax income)	23	
24	Mining costs (difference between regular tax and AMT)	24	
25	Research and experimental costs (difference between regular tax and AMT)	25	
26	Income from certain installment sales before January 1, 1987	26	
27	Intangible drilling costs preference	27	
28	Other adjustments, including income-based related adjustments	28	
29	<b>Alternative minimum taxable income.</b> Combine lines 1 through 28. (If married filing separately and line 29 is more than \$216,900, see instructions.)	29	-98,154.

**Part II Alternative Minimum Tax**

30	Exemption. (If you were under age 24 at the end of 2009, see instructions.)														
	<table><tr><td><b>IF your filing status is . . .</b></td><td><b>AND line 29 is not over . . .</b></td><td><b>THEN enter on line 30 . . .</b></td></tr><tr><td>Single or head of household</td><td>\$112,500</td><td>\$46,700</td></tr><tr><td>Married filing jointly or qualifying widow(er)</td><td>150,000</td><td>70,950</td></tr><tr><td>Married filing separately</td><td>75,000</td><td>35,475</td></tr></table>	<b>IF your filing status is . . .</b>	<b>AND line 29 is not over . . .</b>	<b>THEN enter on line 30 . . .</b>	Single or head of household	\$112,500	\$46,700	Married filing jointly or qualifying widow(er)	150,000	70,950	Married filing separately	75,000	35,475	30	46,700.
<b>IF your filing status is . . .</b>	<b>AND line 29 is not over . . .</b>	<b>THEN enter on line 30 . . .</b>													
Single or head of household	\$112,500	\$46,700													
Married filing jointly or qualifying widow(er)	150,000	70,950													
Married filing separately	75,000	35,475													
31	If line 29 is <b>over</b> the amount shown above for your filing status, see instructions. Subtract line 30 from line 29. If more than zero, go to line 32. If zero or less, enter -0- here and on lines 34 and 36 and skip the rest of Part II.	31	0.												
32	• If you are filing Form 2555 or 2555-EZ, see instructions for the amount to enter. • If you reported capital gain distributions directly on Form 1040, line 13; you reported qualified dividends on Form 1040, line 9b; or you had a gain on both lines 15 and 16 of Schedule D (Form 1040) (as refigured for the AMT, if necessary), complete Part III on page 2 and enter the amount from line 55 here. • <b>All others:</b> If line 31 is \$175,000 or less (\$87,500 or less if married filing separately), multiply line 31 by 26% (.26). Otherwise, multiply line 31 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately) from the result.	32													
33	Alternative minimum tax foreign tax credit (see instructions)	33													
34	Tentative minimum tax. Subtract line 33 from line 32.	34	0.												
35	Tax from Form 1040, line 44 (minus any tax from Form 4972 and any foreign tax credit from Form 1040, line 47). If you used Schedule J to figure your tax, the amount from line 44 of Form 1040 must be refigured without using Schedule J (see instructions)	35													
36	<b>AMT.</b> Subtract line 35 from line 34. If zero or less, enter -0-. Enter here and on Form 1040, line 45.	36	0.												

**BAA For Paperwork Reduction Act Notice, see separate instructions.**

FDIA5312L 08/14/09

Form **6251** (2009)

Form **4952****Investment Interest Expense Deduction**

OMB No. 1545-0191

Department of the Treasury  
Internal Revenue Service (99)► **Attach to your tax return.****2009**Attachment  
Sequence No. **51**

Name(s) shown on return

Joe Trader MTM Comm Loss Ex 10

Identifying number

999-99-9999

**Part I Total Investment Interest Expense**

1 Investment interest expense paid or accrued in 2009 (see instructions) .....	<b>1</b>	482.
2 Disallowed investment interest expense from 2008 Form 4952, line 7 .....	<b>2</b>	
<b>3 Total investment interest expense.</b> Add lines 1 and 2 .....	<b>3</b>	482.

**Part II Net Investment Income**

<b>4a</b> Gross income from property held for investment (excluding any net gain from the disposition of property held for investment) .....	<b>4a</b>	959.	
<b>b</b> Qualified dividends included on line 4a .....	<b>4b</b>	897.	
<b>c</b> Subtract line 4b from line 4a .....	<b>4c</b>		62.
<b>d</b> Net gain from the disposition of property held for investment .....	<b>4d</b>	15,366.	
<b>e</b> Enter the <b>smaller</b> of line 4d or your net capital gain from the disposition of property held for investment (see instructions) .....	<b>4e</b>	15,366.	
<b>f</b> Subtract line 4e from line 4d .....	<b>4f</b>		
<b>g</b> Enter the amount from lines 4b and 4e that you elect to include in investment income (see instructions) .....	<b>4g</b>		
<b>h</b> Investment income. Add lines 4c, 4f, and 4g .....	<b>4h</b>		62.
<b>5</b> Investment expenses (see instructions) .....	<b>5</b>		65.
<b>6 Net investment income.</b> Subtract line 5 from line 4h. If zero or less, enter -0- .....	<b>6</b>		0.

**Part III Investment Interest Expense Deduction**

<b>7</b> Disallowed investment interest expense to be carried forward to 2010. Subtract line 6 from line 3. If zero or less, enter -0- .....	<b>7</b>	482.
<b>8 Investment interest expense deduction.</b> Enter the <b>smaller</b> of line 3 or 6. See instructions .....	<b>8</b>	0.

**BAA For Paperwork Reduction Act Notice, see separate instructions.**Form **4952** (2009)

Form **4952****Investment Interest Expense Deduction**

OMB No. 1545-0191

Department of the Treasury  
Internal Revenue Service (99)**Alternative Minimum Tax**  
▶ **Attach to your tax return.****2009**Attachment  
Sequence No. **51**

Name(s) shown on return

Joe Trader MTM Comm Loss Ex 10

Identifying number

999-99-9999

**Part I Total Investment Interest Expense**

1 Investment interest expense paid or accrued in 2009 (see instructions) .....	<b>1</b>	482.
2 Disallowed investment interest expense from 2008 Form 4952, line 7 .....	<b>2</b>	
<b>3 Total investment interest expense.</b> Add lines 1 and 2 .....	<b>3</b>	482.

**Part II Net Investment Income**

<b>4a</b> Gross income from property held for investment (excluding any net gain from the disposition of property held for investment) .....	<b>4a</b>	959.	
<b>b</b> Qualified dividends included on line 4a .....	<b>4b</b>	897.	
<b>c</b> Subtract line 4b from line 4a .....	<b>4c</b>		62.
<b>d</b> Net gain from the disposition of property held for investment .....	<b>4d</b>	15,366.	
<b>e</b> Enter the <b>smaller</b> of line 4d or your net capital gain from the disposition of property held for investment (see instructions) .....	<b>4e</b>	15,366.	
<b>f</b> Subtract line 4e from line 4d .....	<b>4f</b>		
<b>g</b> Enter the amount from lines 4b and 4e that you elect to include in investment income (see instructions) .....	<b>4g</b>		
<b>h</b> Investment income. Add lines 4c, 4f, and 4g .....	<b>4h</b>		62.
<b>5</b> Investment expenses (see instructions) .....	<b>5</b>		
<b>6 Net investment income.</b> Subtract line 5 from line 4h. If zero or less, enter -0- .....	<b>6</b>		62.

**Part III Investment Interest Expense Deduction**

<b>7</b> Disallowed investment interest expense to be carried forward to 2010. Subtract line 6 from line 3. If zero or less, enter -0- .....	<b>7</b>	420.
<b>8 Investment interest expense deduction.</b> Enter the <b>smaller</b> of line 3 or 6. See instructions .....	<b>8</b>	62.

**BAA For Paperwork Reduction Act Notice, see separate instructions.**Form **4952** (2009)

Form **8829**Department of the Treasury  
Internal Revenue Service (99)**Expenses for Business Use of Your Home**

► **File only with Schedule C (Form 1040).**  
**Use a separate Form 8829 for each home you used for business during the year.**  
 ► **See separate instructions.**

OMB No. 1545-0074

**2009**Attachment  
Sequence No. **66**

Name(s) of proprietor(s)

Joe Trader MTM Comm Loss Ex 10

Your social security number

999-99-9999

**Part I Part of Your Home Used for Business**

1	Area used regularly and exclusively for business, regularly for daycare, or for storage of inventory or product samples (see instructions).....	1	270
2	Total area of home.....	2	1,505
3	Divide line 1 by line 2. Enter the result as a percentage.....	3	17.94 %
<b>For daycare facilities not used exclusively for business go to line 4. All others go to line 7.</b>			
4	Multiply days used for daycare during year by hours used per day.....	4	hr
5	Total hours available for use during the year (365 days x 24 hours) (see instructions).....	5	hr
6	Divide line 4 by line 5. Enter the result as a decimal amount.....	6	
7	Business percentage. For daycare facilities not used exclusively for business, multiply line 6 by line 3 (enter the result as a percentage). All others, enter the amount from line 3.....	7	17.94 %

**Part II Figure Your Allowable Deduction**

8	Enter the amount from Schedule C, line 29, <b>plus</b> any net gain or (loss) derived from the business use of your home and shown on Schedule D or Form 4797. If more than one place of business, see instructions.....	8	-35,293.
<b>See instrs for columns (a) and (b) before completing lines 9-21.</b>			
	<b>(a) Direct expenses</b>	<b>(b) Indirect expenses</b>	
9	Casualty losses (see instructions).....		
10	Deductible mortgage interest (see instructions).....		
11	Real estate taxes (see instructions).....		
12	Add lines 9, 10, and 11.....		
13	Multiply line 12, column (b) by line 7.....	13	
14	Add line 12, column (a) and line 13.....	14	
15	Subtract line 14 from line 8. If zero or less, enter -0-.....	15	0.
16	Excess mortgage interest (see instructions).....		
17	Insurance.....		545.
18	Rent.....		30,000.
19	Repairs and maintenance.....		805.
20	Utilities.....		3,688.
21	Other expenses (see instrs).....		5,294.
22	Add lines 16 through 21.....		40,332.
23	Multiply line 22, column (b) by line 7.....	23	7,236.
24	Carryover of operating expenses from 2008 Form 8829, line 42.....	24	
25	Add line 22 column (a), line 23, and line 24.....	25	7,236.
26	Allowable operating expenses. Enter the <b>smaller</b> of line 15 or line 25.....	26	
27	Limit on excess casualty losses and depreciation. Subtract line 26 from line 15.....	27	
28	Excess casualty losses (see instructions).....	28	
29	Depreciation of your home from line 41 below.....	29	
30	Carryover of excess casualty losses and depreciation from 2008 Form 8829, line 43.....	30	
31	Add lines 28 through 30.....	31	
32	Allowable excess casualty losses and depreciation. Enter the <b>smaller</b> of line 27 or line 31.....	32	
33	Add lines 14, 26, and 32.....	33	
34	Casualty loss portion, if any, from lines 14 and 32. Carry amount to <b>Form 4684</b> , Section B.....	34	
35	<b>Allowable expenses for business use of your home.</b> Subtract line 34 from line 33. Enter here and on Schedule C, line 30. If your home was used for more than one business, see instructions.....	35	0.

**Part III Depreciation of Your Home**

36	Enter the <b>smaller</b> of your home's adjusted basis or its fair market value (see instructions).....	36	
37	Value of land included on line 36.....	37	
38	Basis of building. Subtract line 37 from line 36.....	38	
39	Business basis of building. Multiply line 38 by line 7.....	39	
40	Depreciation percentage (see instructions).....	40	%
41	Depreciation allowable (see instructions). Multiply line 39 by line 40. Enter here and on line 29 above.....	41	

**Part IV Carryover of Unallowed Expenses to 2010**

42	Operating expenses. Subtract line 26 from line 25. If less than zero, enter -0-.....	42	7,236.
43	Excess casualty losses and depreciation. Subtract line 32 from line 31. If less than zero, enter -0-.....	43	0.

**BAA For Paperwork Reduction Act Notice, see separate instructions.**

FDIA6902L 06/25/09

Form **8829** (2009)

Form **4562**Department of the Treasury  
Internal Revenue Service (99)**Depreciation and Amortization**  
(Including Information on Listed Property)

▶ See separate instructions. ▶ Attach to your tax return.

OMB No. 1545-0172

**2009**Attachment  
Sequence No. **67**

Name(s) shown on return

Joe Trader MTM Comm Loss Ex 10

Identifying number

999-99-9999

Business or activity to which this form relates

Schedule C - Joe Trader MTM Comm Loss Ex 10

**Part I Election To Expense Certain Property Under Section 179**

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount. See the instructions for a higher limit for certain businesses . . . . .	1	\$250,000.
2	Total cost of section 179 property placed in service (see instructions). . . . .	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions). . . . .	3	\$800,000.
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0- . . . . .	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions . . . . .	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29. . . . .	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7. . . . .	8	
9	Tentative deduction. Enter the <b>smaller</b> of line 5 or line 8 . . . . .	9	
10	Carryover of disallowed deduction from line 13 of your 2008 Form 4562. . . . .	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instrs) . . . . .	11	
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11. . . . .	12	
13	Carryover of disallowed deduction to 2010. Add lines 9 and 10, less line 12. . . . . ▶	13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

**Part II Special Depreciation Allowance and Other Depreciation (Do not include listed property.)** (See instructions.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions). . . . .	14	3,206.
15	Property subject to section 168(f)(1) election . . . . .	15	
16	Other depreciation (including ACRS) . . . . .	16	484.

**Part III MACRS Depreciation (Do not include listed property.)** (See instructions.)**Section A**

17	MACRS deductions for assets placed in service in tax years beginning before 2009. . . . .	17	
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here. . . . . ▶ <input type="checkbox"/>		

**Section B - Assets Placed in Service During 2009 Tax Year Using the General Depreciation System**

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only — see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property. . . . .						
b 5-year property. . . . .		1,733.	5	HY	200DB	347.
c 7-year property. . . . .		1,473.	7	HY	200DB	210.
d 10-year property. . . . .						
e 15-year property. . . . .						
f 20-year property. . . . .						
g 25-year property. . . . .			25 yrs		S/L	
h Residential rental property. . . . .			27.5 yrs	MM	S/L	
i Nonresidential real property. . . . .			27.5 yrs	MM	S/L	
			39 yrs	MM	S/L	
				MM	S/L	

**Section C - Assets Placed in Service During 2009 Tax Year Using the Alternative Depreciation System**

20a Class life. . . . .					S/L	
b 12-year. . . . .			12 yrs		S/L	
c 40-year. . . . .			40 yrs	MM	S/L	

**Part IV Summary** (See instructions.)

21	Listed property. Enter amount from line 28 . . . . .	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations — see instructions . . . . .	22	4,247.
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs. . . . .	23	

BAA For Paperwork Reduction Act Notice, see separate instructions.

FDIZ0812L 07/07/09

Form **4562** (2009)

Form **6781**Department of the Treasury  
Internal Revenue Service**Gains and Losses From Section 1256  
Contracts and Straddles**

► Attach to your tax return.

OMB No. 1545-0644

**2009**Attachment  
Sequence No. **82**

Name(s) shown on tax return

Joe Trader MTM Comm Loss Ex 10

Identifying number

999-99-9999

Check all applicable boxes (see instructions).

**A**  
**B**

Mixed straddle election

Straddle-by-straddle identification election

**C**  
**D**

Mixed straddle account election

Net section 1256 contracts loss election

**Part I Section 1256 Contracts Marked to Market**

1	(a) Identification of account	(b) (Loss)	(c) Gain
	Interactive Brokers com trading a/c	79,186.	
	Transfer Form 6781 to Form 4797 MTM-Note		79,186.
2	Add the amounts on line 1 in columns (b) and (c).....	79,186.	79,186.
3	Net gain or (loss). Combine line 2, columns (b) and (c).....		
4	Form 1099-B adjustments. See instructions and attach schedule. ....		
5	Combine lines 3 and 4.....		
<b>Note:</b> If line 5 shows a net gain, skip line 6 and enter the gain on line 7. Partnerships and S corporations, see instructions.			
6	If you have a net section 1256 contracts loss and checked box D above, enter the amount of loss to be carried back. Enter the loss as a positive number. ....		
7	Combine lines 5 and 6.....		
8	<b>Short-term capital gain or (loss).</b> Multiply line 7 by 40% (.40). Enter here and include on the appropriate line of Schedule D (see instructions).....		
9	<b>Long-term capital gain or (loss).</b> Multiply line 7 by 60% (.60). Enter here and include on the appropriate line of Schedule D (see instructions).....		

**Part II Gains and Losses From Straddles.** Attach a separate schedule listing each straddle and its components.**Section A – Losses From Straddles**

(a) Description of property	(b) Date entered into or acquired	(c) Date closed out or sold	(d) Gross sales price	(e) Cost or other basis plus expense of sale	(f) Loss. If column (e) is more than (d), enter difference. Otherwise, enter -0-	(g) Unrecognized gain on offsetting positions	(h) Recognized loss. If column (f) is more than (g), enter difference. Otherwise, enter -0-
10							
11a Enter the short-term portion of losses from line 10, column (h), here and include on the appropriate line of Schedule D (see instructions).....							11a
b Enter the long-term portion of losses from line 10, column (h), here and include on the appropriate line of Schedule D (see instructions).....							11b

**Section B – Gains From Straddles**

(a) Description of property	(b) Date entered into or acquired	(c) Date closed out or sold	(d) Gross sales price	(e) Cost or other basis plus expense of sale	(f) Gain. If column (d) is more than (e), enter difference. Otherwise, enter -0-
12					
13a Enter the short-term portion of gains from line 12, column (f), here and include on the appropriate line of Schedule D (see instructions).....					13a
b Enter the long-term portion of gains from line 12, column (f), here and include on the appropriate line of Schedule D (see instructions).....					13b

**Part III Unrecognized Gains From Positions Held on Last Day of Tax Year.** Memo Entry Only (see instructions)

(a) Description of property	(b) Date acquired	(c) Fair market value on last business day of tax year	(d) Cost or other basis as adjusted	(e) Unrecognized gain. If column (c) is more than (d), enter difference. Otherwise, enter -0-
14				

2009

## Federal Statements

Page 1

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

**Statement 1 - Trader in Commodities - Mark-to-Market accounting**  
**Schedule C, Part V**  
**Other Expenses**

Delivery and Freight.....	\$	115.
Postage.....		185.
Seminars taken after trading started.....		3,455.
Telephone.....		644.
Trading chat rooms.....		1,205.
Trading internet service.....		605.
Trading miscellaneous expense.....		805.
Trading online information services.....		1,699.
Trading publications and books.....		1,144.
Trading tax and accounting.....		755.
Total	\$	<u>10,612.</u>

**Statement 2**  
**Form 8829, Line 21**  
**Other Expenses**

	<u>Direct</u>	<u>Indirect</u>
Miscellaneous.....	\$ 0.	\$ 889.
Cleaning.....	0.	4,405.
Total	<u>\$ 0.</u>	<u>\$ 5,294.</u>

Demo



Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

Note to Schedules C, Form 6781, Form 4797-Part II and Form 3115 in connection with taxpayer's business activity: "trader in commodities"

TAXPAYER QUALIFIES AS A "TRADER IN COMMODITIES"

IRC Code Section: § 475 "Mark to market accounting method for dealers in securities", has Section 475(f) - "Election of mark to market for traders in securities or commodities": 475(f)(1) is for "traders in securities"; and Section 475(f)(2) is for "traders in commodities."

IRS Revenue Procedure 99-17 - "Mark to market accounting method for dealers in securities - election for traders and dealers", applies to both traders in securities and/or commodities. Rev. Proc. 99-17 reads as follows: "Head note - IRS has provided exclusive procedure for dealers in commodities and traders in commodities and securities to elect to use mark-to-market accounting method."

Copy of taxpayer's election for mark-to-market accounting for commodities only. This election was attached to taxpayer's 2008 tax return or extension filed by April 15, 2009.

"Pursuant to IRC 475(f)(2), the Taxpayer hereby elects to adopt the mark-to-market method of accounting for the tax year ended December 31, 2009 and subsequent tax years. The election applies to the following trade or business: Trader in Commodities as a sole proprietor."

#### SUMMARY

Taxpayer qualifies as a "trader in commodities" for 2009 and he duly elected mark-to-market accounting for commodities, on time for tax year 2009 (see copy of election above). Taxpayer's trading business expenses are reported on Schedule C and his commodities trading gains and losses are reported on Form 6781. The net amount of Form 6781 is then transferred to Form 4797 Ordinary Gain or Loss because taxpayer is using mark-to-market accounting.

Taxpayer's trading gains are exempt from self-employment taxation.

Taxpayer is exempt from self-employment taxation because taxpayer is a trader in commodities and not a "commodity dealer", as defined in IRC Section 1402 Definitions - Net earnings from self-employment.

Trader in Commodities is a business the same as Trader in Securities.

Taxpayer operated a trading business, in accordance with the definition below, for the entire year 2009. Considerable time spent every trading day, consistent and frequent number of trades, and trading proceeds all support taxpayer's rising to the level of conducting this activity as a business. Trader expenses reported on Schedule C have been prorated accordingly for the period of time the taxpayer was actively conducting his commodity trading business.

We excerpt IRS Publication 550, Chapter 4 - Special Rules for Traders Securities. (See our added notes in parenthesis).

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

Special rules apply if you are a trader in securities in the business of buying and selling securities for your own account. To be engaged in business as a trader in securities, you must meet all the following conditions. (Taxpayer met all the following conditions for tax year 2009).

..You must seek to profit from daily market movements in the prices of securities and not from dividends, interest, or capital appreciation.

..Your activity must be substantial.

..You must carry on the activity with continuity and regularity.

The following facts and circumstances should be considered in determining if your activity is a securities trading business.

..Typical holding periods for securities bought and sold. (Taxpayer had very short holding periods).

..The frequency and dollar amount of your trades during the year. (Taxpayer traded frequently with lower dollar amounts - high turnover).

..The extent to which you pursue the activity to produce income for a livelihood. (Taxpayer's intention is to earn a living from this trading business activity).

..The amount of time you devote to the activity. (Taxpayer spends a good part of every day on this activity).

Note.

-----  
You may be a trader in some securities and have other securities you hold for investment. The special rules discussed here do not apply to the securities held for investment. You must keep detailed records to distinguish the securities. The securities held for investment must be identified as such in your records on the day you got them (for example, by holding them in a separate brokerage account). (If taxpayer has investment securities they are clearly "segregated" from his trading securities in accordance with current IRS regulations).

How To Report.

-----  
Transactions from trading activities result in capital gains and losses and must be reported on Schedule D (Form 1040). Losses from these transactions are subject to the limit on capital losses explained earlier in this chapter.

Mark-to-market election made.

-----  
If you made the mark-to-market election, you should report all gains and losses from trading as ordinary gains and losses in Part II of Form 4797, instead of as capital gains and losses on Schedule D. In that case, securities held at the end of the year in your business as a trader are marked to market by treating them as if they were sold (and reacquired) for fair market value on the last business day of the year. But do not mark to market any securities you held for investment. Report sales from those securities on Schedule D, not Form 4797. (Taxpayer is using mark-to-market accounting, see above).

Expenses.

-----  
Interest expense and other investment expenses that an investor would deduct on Schedule A (Form 1040) are deducted by a trader on Schedule C (Form 1040), Profit or Loss From Business, if the expenses are from the trading business. Commissions and other costs of acquiring or disposing of securities are not deductible but must be used to figure gain or loss. The limit on investment interest expense, which applies to investors, does not apply to interest paid or incurred in a trading business. (Taxpayer duly reported his trading business expenses on Schedule C: trader in

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

commodities)

Self-employment tax.  
-----

Gains and losses from selling securities as part of a trading business are not subject to self-employment tax. This is true whether the election is made or not.

How To Make the Mark-to-Market Election.  
-----

To make the mark-to-market election for 2009, you must file a statement by April 15, 2009. This statement should be attached to either your 2008 individual income tax return or a request for an extension of time to file that return. The statement must include the following information. (Taxpayer elected mark-to-market accounting for commodities only for tax year 2009; by attaching the election to his 2008 tax return or extension filed by April 15, 2009. See above for copy of the election.)

That you are making an election under section 475(f) of the Internal Revenue Code. The first tax year for which the election is effective. The trade or business for which you are making the election. If you are not required to file a 2008 income tax return, you make the election by placing the above statement in your books and records no later than March 15, 2009. Attach a copy of the statement to your 2009 return.

After making the election to change to the mark-to-market method of accounting, you must change your method of accounting for securities under Revenue Procedure 2009-39. Revenue Procedure 2009-39 requires you to file Form 3115, Application for Change in Accounting Method. Follow its instructions. Label the Form 3115 as filed under "Section 10A of the APPENDIX of Rev. Proc. 2009-39." (Taxpayer is filing his Form 3115 together with his Section 481 adjustment (if any applies) with this tax return. Taxpayer is filing a duplicate copy with the IRS national office as is also required).

Once you make the election, it will apply to 2009 and all later tax years, unless you get permission from IRS to revoke it. The effect of making the election is described under Mark-to-market election made, earlier.

For more information on this election, see Revenue Procedure 99-17, 1999-1 CB 503.

=====  
Section 481(a) Adjustment tax law for traders

According to Rev. Proc. 99-17, 1999-7 IRB 1, IRC Sec(s). - Mark to market accounting method for dealers in securities - election for traders and dealers. Section 6. Change in Method of Accounting; Clause.03 Section 481(a) Adjustment

"If a taxpayer changes its method of accounting under section 6.01 of this revenue procedure, the taxpayer must take into account the net amount of the section 481(a) adjustment in the manner provided in section 5.04 of Rev. Proc. 98-60. Thus, the section 481(a) adjustment generally is taken into account ratably over four taxable years beginning with the year of change. For purposes of section 481, a change in method of accounting made under this revenue procedure is a change in method of accounting initiated by the taxpayer."

According to the rules for Form 3115, if the change results in a positive section 481 adjustment, the Taxpayer must, beginning with the year of change, take the section 481 adjustment into account ratably over 4 taxable years in computing taxable income. However, the Taxpayer may elect to take the entire positive section 481 adjustment in the year of change, providing the Section 481 adjustment is under \$25,000. Otherwise, Taxpayer is required to pro-rate this Section 481 adjustment over 4 taxable years.

If the change results in a negative section 481 adjustment, the taxpayer must take

2/13/10

03:32PM

the entire section 481(a) adjustment into account in the year of change.

=====

Section 481(a) Adjustment - Calculation.

-----

On January 1, 2009, Taxpayer started the year with "Trading Positions" (or "Investment Positions which he converted to "Trading Positions").

Market value on January 1, 2009 of \$ None

Original Cost basis of \$ None

Section 481 Adjustment is the difference \$ None

Taxpayer did not have any open trading positions on January 1, 2009. There is no Section 481 adjustment to report for tax year 2009.

=====

Demo

**2009**

**General Elections**

**Page 1**

**Client EX10F-CA**

**Joe Trader MTM Comm Loss Ex 10**

**999-99-9999**

2/13/10

03:32PM

**Election for Extended Special NOL Carryback Period**

Pursuant to IRC Section 172(b)(1)(H), the Taxpayer hereby elects a 5-year carryback period with respect to the net operating loss incurred for the tax year ended 12/31/09.

**Demo**

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

**Form 1040, Line 9b  
Qualified Dividends**

Schwab - invest a/c

Total	<u>897.</u>
	<u>897.</u>

**Qualified Dividends and Capital Gain Tax Worksheet (Form 1040, Line 44)**

1. Enter the amount from Form 1040, line 43 0.
2. Enter the amount from Form 1040, line 9b 897.
3. Are you filing Schedule D?  
☒ Yes. Enter the smaller of line 15 or 16 of  
Schedule D, but do not enter less than zero  
☐ No. Enter the amount from Form 1040, line 13 15,366.
4. Add lines 2 and 3 16,263.
5. If you are claiming investment interest expense  
on Form 4952, enter the amount from line 4g of  
that form. Otherwise enter zero. 0.
6. Subtract line 5 from line 4. If zero or  
less, enter zero. 16,263.
7. Subtract line 6 from line 1. If zero or  
less, enter zero. 0.
8. Enter the smaller of:  
- The amount on line 1, or  
- \$33,950 if single or married filing separately,  
\$67,900 if married filing jointly or qualifying  
widow(er), \$45,500 if head of household. 0.
9. Is the amount on line 7 equal to or more  
than the amount on line 8?  
☒ YES. Skip lines 9 and 10;  
Go to line 11 and check the  
"No" box  
☐ NO. Enter the amount from line 7
10. Subtract line 9 from line 8
11. Are the amounts on lines 6 and 10 the same?  
☐ YES. Skip lines 11 through 14;  
go to line 15  
☒ NO. Enter the smaller of line 1 or  
line 6 0.
12. Enter the amount from line 10. (If line 10 is  
blank, enter zero.) 0.
13. Subtract line 12 from line 11. 0.
14. Multiply line 13 by 15% (.15) 0.
15. Figure the tax on the amount on line 7.  
(Use the Tax Table or Tax Computation Worksheet) 0.
16. Add lines 14 and 15 0.
17. Figure the tax on the amount on line 1.  
(Use the Tax Table or Tax Computation Worksheet) 0.
18. Tax on all taxable income (including  
capital gain distributions). Enter the  
smaller of line 16 or line 17 here and on  
Form 1040, line 44 0.

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

**Investment Interest Expense (Form 4952, Line 1)**

Schedule A	482.
Schedule A (from pass-through entities)	0.
Schedule C	0.
Schedule E, page 1	0.
Schedule E, page 2	0.
Total Investment Interest Expense	<u>482.</u>

**Gross Investment Income (Form 4952, Line 4a)**

Interest Income	62.
Dividend Income	897.
Child's Investment Income - Form 8814	0.
Gross Investment Income - Schedule C	0.
Gross Investment Income - Schedule E	0.
Publicly Traded Partnership Income	0.
Other Net Investment Income - K-1	0.
Gross Investment Income Adjustment	0.
Total Gross Investment Income	<u>959.</u>

**Investment Expenses (Form 4952, Line 5)**

Real Estate Taxes - Sch. A	0.
Tentative Investment Expense - Sch. A, Line 23	65.
Investment Expenses - Sch. A, Line 28	0.
Investment Expenses - Schedule C	0.
Investment Expenses - Schedule E, page 1	0.
Investment Expenses Adjustment	0.
Total Investment Expenses	<u>65.</u>

**AMT Investment Expenses (AMT Form 4952, Line 5)**

Investment Expenses	65.
Adjustments and Preferences	-65.
AMT Investment Expenses Adjustment	0.
Total AMT Investment Expenses	<u>0.</u>

**Computation of 2009 Net Operating Loss**

1. Enter the amount from Form 1040, line 41		-103,854.
2. Nonbusiness Capital Losses	0.	
3. Nonbusiness Capital Gains	15,366.	
4. Excess of line 2 over line 3	0.	
5. Excess of line 3 over line 2	15,366.	
6. Nonbusiness Deductions	5,700.	
7. Nonbusiness Income	959.	
8. Add lines 5 and 7	16,325.	
9. Excess of line 6 over line 8		0.
10. Excess of line 8 over line 6; But do not enter more than line 5	10,625.	
11. Business Capital Losses	0.	
12. Business Capital Gains	0.	
13. Add lines 10 and 12	10,625.	
14. Excess of line 11 over line 13	0.	
15. Add lines 4 and 14	0.	
16. Loss from Schedule D, line 16	0.	
17. Section 1202 Exclusion		0.
18. Subtract line 17 from line 16	0.	
19. Loss from Schedule D, line 21	0.	
20. Subtract line 19 from line 18	0.	
21. Subtract line 18 from line 19		0.
22. Subtract line 20 from line 15		0.
23. Domestic production activities deduction		0.
24. Prior years' Net Operating Losses		0.
25. 2009 Net Operating Gain (Loss) (Combine lines 1, 9, 17, and 21 through 24.)		<u><u>-103,854.</u></u>



**Computation of 2009 AMT Net Operating Loss**

1. AMTI before ATNOLD (Form 6251, lines 1 through 26)		-98,154.
2. Nonbusiness Capital Losses	0.	
3. Nonbusiness Capital Gains	15,366.	
4. Excess of line 2 over line 3	0.	
5. Excess of line 3 over line 2	15,366.	
6. Nonbusiness Deductions	0.	
7. Nonbusiness Income	959.	
8. Add lines 5 and 7	16,325.	
9. Excess of line 6 over line 8		0.
10. Excess of line 8 over line 6	15,366.	
11. Business Capital Losses	0.	
12. Business Capital Gains	0.	
13. Add lines 10 and 12	15,366.	
14. Excess of line 11 over line 13	0.	
15. Add lines 4 and 14	0.	
16. Loss from Schedule D, line 17	0.	
17. Section 1202 Exclusion		0.
18. Subtract line 17 from line 16	0.	
19. Loss from Schedule D, line 18	0.	
20. Subtract line 19 from line 18	0.	
21. Subtract line 18 from line 19		0.
22. Subtract line 20 from line 15		0.
23. 2009 AMT Net Operating Gain (Loss) (Combine lines 1, 9, 17, 21, and 22)		<u>-98,154.</u>

Demo

12/31/09

## 2009 Federal Summary Depreciation Schedule

Page 1

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

03:32PM

No.	Description	Date Acquired	Date Sold	Cost/ Basis	Bus. Pct.	Cur 179/ SDA	Prior 179/ SDA/ Depr.	Method	Life	Current Depr.
Schedule C - Joe Trader MTM Comm Loss Ex 10										
Furniture and Fixtures										
2	Furniture/fixtures	Various		2,946		1,473		200DB HY	7	210
	Total Furniture and Fixtures			2,946		1,473	0			210
Machinery and Equipment										
1	Computers for trading	Various		3,466		1,733		200DB HY	5	347
3	Software for trading	Various		1,453				S/L	3	484
	Total Machinery and Equipment			4,919		1,733	0			831
	Total Depreciation			7,865		3,206	0			1,041
	Grand Total Depreciation			7,865		3,206	0			1,041

Demo

**California Resident  
Income Tax Return 2009**

FORM

**540** C1 Side 1

APE

ATTACH FEDERAL RETURN

P  
AC  
A  
R  
RP999-99-9999 MTMC 09 PBA 523130  
JOE T MTMCOMMLOSSEXANY ST  
LOS ANGELES CA 90025

01	1	72	0	408	0	APE	0
06	0	73	0	409	0	FS	0
09	0	74	0	410	0	3800	0
10	0	75	0	411	0	3803	0
12	0	76	0	412	0	SCHG1	0
14	304182	77	0	413	0	5870A	0
16	2649	78	0	414	0	5805 5805F	0
17	-399687	91	0	110	0	DESIGNEE	1
18	5889	92	0	111	0	TPID	
31	0	93	0	112	0	FN 200751653	
34	0	94	0	113	0		
41	0	95	0	115	0		
42	0	400	0	116	0		
43	0	401	0	117	0		
44	0	402	0				
45	0	403	0				
46	0	404	0				
61	0	405	0				
62	0	406	0				
63	0	407	0				
64	0						
71	0						

Demo

**Sign  
Here**It is unlawful to  
forge a  
spouse's/RDP's  
signature.Joint return?  
(See instructions.)**IMPORTANT:** See the instructions to find out if you should attach a copy of your complete federal return. 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.

► Your signature _____	Spouse's/RDP's signature (if a joint return, both must sign) _____
------------------------	---

Daytime phone number (optional) \_\_\_\_\_

Date \_\_\_\_\_

Paid preparer's signature (declaration of preparer is based on all information of which preparer has any knowledge)

● Paid Preparer's SSN/PTIN

**Z EXAMPLES**

Firm's name (or yours if self-employed)

Firm's address

● FEIN

GREEN &amp; COMPANY CPAS, LLC

54 DANBURY RD., #351

RIDGEFIELD, CT 06877

20-0751653

Do you want to allow another person to discuss this return with us (see instructions)?

● ☒ Yes ☐ No

PREPARER

877-662-2014

Print Third Party Designee's Name

Telephone Number

<b>Filing Status</b>	1	<input checked="" type="checkbox"/> Single	
	2	<input type="checkbox"/> Married/RDP filing jointly. (see instructions)	
	3	<input type="checkbox"/> Married/RDP filing separately. Enter spouse's/RDP's SSN or ITIN above and full name here...	
	4	<input type="checkbox"/> Head of household (with qualifying person). (see instructions)	
	5	<input type="checkbox"/> Qualifying widow(er) with dependent child. Enter year spouse/RDP died...	
If your California filing status is different from your federal filing status, check the box here...			<input type="checkbox"/>
	6	If someone can claim you (or your spouse/RDP) as a dependent, check the box here (see instructions)...	<input type="checkbox"/> 6
<b>Exemptions</b>	7	<b>Personal:</b> If you checked 1, 3, or 4 above, enter 1 in the box. If you checked 2 or 5, enter 2 in the box. If you checked the box on line 6, see the instructions.	7 <input type="text" value="1"/> x \$98 = \$ 98.
	8	<b>Blind:</b> If you (or your spouse/RDP) are visually impaired, enter 1; if both are visually impaired, enter 2.	8 <input type="text"/> x \$98 = \$
	9	<b>Senior:</b> If you (or your spouse/RDP) are 65 or older, enter 1; if both are 65 or older, enter 2.	9 <input type="text"/> x \$98 = \$
	10	<b>Dependents:</b> Enter name and relationship. Do not include yourself or your spouse/RDP.	
		Total dependent exemptions	10 <input type="text"/> x \$98 = \$
	11	<b>Exemption amount:</b> Add line 7 through line 10. Transfer this amount to line 32.	11 \$ 98.
<b>Taxable Income</b>	12	State wages from your Form(s) W-2, box 16.	12
	13	Enter federal adjusted gross income from Form 1040, line 37; Form 1040A, line 21; Form 1040EZ, line 4.	13 -98,154.
	14	California adjustments — subtractions. Enter the amount from Schedule CA (540), line 37, column B.	14 304,182.
	15	Subtract line 14 from line 13. If less than zero, enter the result in parentheses (see instructions).	15 ( 402,336.)
	16	California adjustments — additions. Enter the amount from Schedule CA (540), line 37, column C.	16 2,649.
	17	California adjusted gross income. Combine line 15 and line 16.	17 -399,687.
	18	Enter the larger of your CA standard deduction OR your CA itemized deductions.	18 5,889.
	19	Subtract line 18 from line 17. This is your taxable income. If less than zero, enter -0-.	19 0.
<b>Tax</b>	31	Tax. Check box if from: <input type="checkbox"/> Tax Table <input type="checkbox"/> Tax Rate Schedule <input type="checkbox"/> FTB 3800 <input type="checkbox"/> FTB 3803.	31 0.
	32	Exemption credits. Enter the amount from line 11. If your federal AGI is more than \$160,739 (see instrs).	32 98.
	33	Subtract line 32 from line 31. If less than zero, enter -0-.	33 0.
	34	Tax. (see instructions) Check box if from: <input type="checkbox"/> Schedule G-1 <input type="checkbox"/> Form FTB 5870A.	34 0.
	35	Add line 33 and line 34.	35
<b>Special Credits</b>	41	New jobs credit, amount generated (see instructions).	41
	42	New jobs credit, amount claimed (see instructions).	42
	43	Credit Code amount.	43
	44	Credit Code amount.	44
	45	To claim more than two credits (see instructions).	45
	46	Nonrefundable renter's credit (see instructions).	46
	47	Add line 42 through line 46. These are your total credits.	47
	48	Subtract line 47 from line 35. If less than zero, enter -0-.	48 0.
<b>Other Taxes</b>	61	Alternative minimum tax. Attach Schedule P (540).	61
	62	Mental Health Services Tax (see instructions).	62
	63	Other taxes and credit recapture (see instructions).	63
	64	Add line 48, line 61, line 62, and line 63. This is your total tax.	64
<b>Payments</b>	71	California income tax withheld (see instructions).	71
	72	2009 CA estimated tax and other payments (see instructions).	72
	73	Real estate and other withholding (see instructions).	73
	74	Excess SDI (or VPD) withheld (see instructions).	74 0.
		<b>Child and Dependent Care Expenses Credit</b> (see instructions). Attach form FTB 3506.	
	75	Qualifying person's social security number.	75
	76	Qualifying person's social security number.	76
	77	Enter the amount from form FTB 3506, Part III, line 8.	77
	78	Child and Dependent Care Expenses Credit from form FTB 3506, Part III, line 12.	78
	79	Add line 71, line 72, line 73, line 74, and line 78. These are your total payments (see instructions).	79
<b>Overpaid Tax/ Tax Due</b>	91	Overpaid tax. If line 79 is more than line 64, subtract line 64 from line 79.	91
	92	Amount of line 91 you want applied to your 2010 estimated tax.	92
	93	Overpaid tax available this year. Subtract line 92 from line 91.	93
	94	Tax due. If line 79 is less than line 64, subtract line 79 from line 64.	94
<b>Use Tax</b>	95	Use Tax. This is not a total line (see instructions).	95 00

		Code	Amount
<b>Contributions</b>	California Seniors Special Fund.....	● 400	_____
	Alzheimer's Disease/Related Disorders Fund.....	● 401	_____
	California Fund for Senior Citizens.....	● 402	_____
	Rare and Endangered Species Preservation Program.....	● 403	_____
	State Children's Trust Fund for the Prevention of Child Abuse.....	● 404	_____
	California Breast Cancer Research Fund.....	● 405	_____
	California Firefighters' Memorial Fund.....	● 406	_____
	Emergency Food For Families Fund.....	● 407	_____
	California Peace Officer Memorial Foundation Fund.....	● 408	_____
	California Military Family Relief Fund.....	● 409	_____
	California Sea Otter Fund.....	● 410	_____
	California Ovarian Cancer Research Fund.....	● 411	_____
	Municipal Shelter Spay-Neuter Fund.....	● 412	_____
	California Cancer Research Fund.....	● 413	_____
	ALS/Lou Gehrig's Disease Research Fund.....	● 414	_____
	110 Add code 400 through code 414. This is your total contribution.....	● 110	_____

<b>Amount You Owe</b>	111 <b>AMOUNT YOU OWE.</b> Add line 94, line 95, and line 110 (see instructions). Mail to: <b>FRANCHISE TAX BOARD, PO BOX 942867, SACRAMENTO CA 94267-0009</b> .....	● 111	_____
<b>Interest and Penalties</b>	112 Interest, late return penalties, and late payment penalties.....	112	_____
	113 Underpayment of estimated tax. Check box: <input type="checkbox"/> FTB 5805 attached <input type="checkbox"/> FTB 5805F attached.....	● 113	_____
	114 Total amount due (see instructions). Enclose, but <b>do not</b> staple, any payment.....	114	_____

<b>Refund and Direct Deposit</b>	115 <b>REFUND OR NO AMOUNT DUE.</b> Subtract line 95 and line 110 from line 93 (see instructions). Mail to: <b>FRANCHISE TAX BOARD, PO BOX 942840, SACRAMENTO CA 94240-0009</b> .....	● 115	_____ 0.															
	Fill in the information to authorize direct deposit of your refund into one or two accounts. <b>Do not</b> attach a voided check or a deposit slip (see instructions). <b>Have you verified the routing and account numbers?</b> Use whole dollars only. All or the following amount of my refund (line 115) is authorized for direct deposit into the account shown below: <table><tbody><tr><td>_____</td><td><input type="checkbox"/> Checking <input type="checkbox"/> Savings</td><td>_____</td><td>_____</td></tr><tr><td>● Routing number</td><td>● Type</td><td>● Account number</td><td>● 116 Direct deposit amount</td></tr></tbody></table> The remaining amount of my refund (line 115) is authorized for direct deposit into the account shown below: <table><tbody><tr><td>_____</td><td><input type="checkbox"/> Checking <input type="checkbox"/> Savings</td><td>_____</td><td>_____</td></tr><tr><td>● Routing number</td><td>● Type</td><td>● Account number</td><td>● 117 Direct deposit amount</td></tr></tbody></table>			_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings	_____	_____	● Routing number	● Type	● Account number	● 116 Direct deposit amount	_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings	_____	_____	● Routing number	● Type	● Account number
_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings	_____	_____															
● Routing number	● Type	● Account number	● 116 Direct deposit amount															
_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings	_____	_____															
● Routing number	● Type	● Account number	● 117 Direct deposit amount															

**2009 California Adjustments – Residents****CA (540)****Important:** Attach this schedule behind Form 540, Side 3 as a supporting California schedule.

Name(s) as shown on return

SSN or ITIN

JOE TRADER MTM COMM LOSS EX 10

999-99-9999

**Part I Income Adjustment Schedule**  
**Section A – Income**

	<b>A</b>	<b>Federal Amounts</b> (taxable amounts from your federal return)	<b>B</b>	<b>Subtractions</b> See instructions	<b>C</b>	<b>Additions</b> See instructions
<b>7</b> Wages, salaries, tips, etc. See instructions before making an entry in column B or C.	<b>7</b>					
<b>8</b> Taxable interest	<b>8</b>	62.				
<b>9</b> Ordinary dividends. See instructions <b>(b)</b> 897.	<b>9a</b>	897.				
<b>10</b> Taxable refunds, credits, offsets of state and local income taxes	<b>10</b>					
<b>11</b> Alimony received	<b>11</b>					
<b>12</b> Business income or (loss) . . . DEPRECIATION (3.885A)	<b>12</b>	-35,293.				2,649.
<b>13</b> Capital gain or (loss). See instructions	<b>13</b>	15,366.				
<b>14</b> Other gains or (losses).	<b>14</b>	-79,186.				
<b>15</b> IRA distributions. See instructions. <b>(a)</b>	<b>15b</b>					
<b>16</b> Pensions and annuities. See instructions. <b>(a)</b>	<b>16b</b>					
<b>17</b> Rental real estate, royalties, partnerships, S corporations, trusts, etc.	<b>17</b>					
<b>18</b> Farm income or (loss)	<b>18</b>					
<b>19</b> Unemployment compensation in excess of \$2,400 per recipient	<b>19</b>					
<b>20</b> Social security benefits <b>(a)</b>	<b>20b</b>					
<b>21</b> Other income.						
<b>a</b> California lottery winnings			<b>a</b>		<b>a</b>	
<b>b</b> Disaster loss carryover from FTB 3805V			<b>b</b>		<b>b</b>	
<b>c</b> Federal NOL (Form 1040, line 21)			<b>c</b>		<b>c</b>	
<b>d</b> NOL carryover from FTB 3805V			<b>d</b>		<b>d</b>	
<b>e</b> NOL from FTB 3805D, 3805Z, 3806, 3807, or 3809	<b>21</b>		<b>e</b>		<b>e</b>	
<b>f</b> Other (describe):			<b>f</b>		<b>f</b>	
			<b>d</b>	304,182.	<b>d</b>	
			<b>e</b>		<b>e</b>	
			<b>f</b>		<b>f</b>	
<b>22 Total.</b> Combine line 7 through line 21 in column A. Add line 7 through line 21f in column B and column C. Go to Section B.	<b>22</b>	-98,154.		304,182.		2,649.

**Section B – Adjustments to Income**

<b>23</b> Educator expenses	<b>23</b>					
<b>24</b> Certain business expenses of reservists, performing artists, and fee-basis government officials.	<b>24</b>					
<b>25</b> Health savings account deduction.	<b>25</b>					
<b>26</b> Moving expenses.	<b>26</b>					
<b>27</b> One-half of self-employment tax.	<b>27</b>					
<b>28</b> Self-employed SEP, SIMPLE, and qualified plans.	<b>28</b>					
<b>29</b> Self-employed health insurance deduction.	<b>29</b>					
<b>30</b> Penalty on early withdrawal of savings.	<b>30</b>					
<b>31 a</b> Alimony paid.						
<b>b</b> Recipient's: SSN. ....						
Last name. ....	<b>31 a</b>					
<b>32</b> IRA deduction.	<b>32</b>					
<b>33</b> Student loan interest deduction.	<b>33</b>					
<b>34</b> Tuition and fees deduction	<b>34</b>					
<b>35</b> Domestic production activities deduction	<b>35</b>					
<b>36</b> Add line 23 through line 31a and line 32 through line 35 in columns A, B, and C. See instrs.	<b>36</b>					
<b>37 Total.</b> Subtract line 36 from line 22 in columns A, B, and C. See instructions.	<b>37</b>	-98,154.		304,182.		2,649.

**Part II Adjustments to Federal Itemized Deductions**

<b>38</b>	Federal itemized deductions. Add the amounts on federal Schedule A (Form 1040), lines 4, 9, 15, 19, 20, 27, and 28.....	<b>38</b>	<u>5,692.</u>
<b>39</b>	Enter total of federal Schedule A (Form 1040), line 5 (State Disability Insurance, and state and local income tax, or General Sales Tax), line 7 (new motor vehicle tax), and line 8 (foreign income taxes <b>only</b> ). See instructions.....	<b>39</b>	<u>285.</u>
<b>40</b>	Subtract line 39 from line 38.....	<b>40</b>	<u>5,407.</u>
<b>41</b>	Other adjustments including California lottery losses. See instructions. Specify... <u>INVESTMENT INTEREST EXPENSE ADJ. (FORM 3526)</u> .....	<b>41</b>	<u>482.</u>
<b>42</b>	Combine line 40 and line 41.....	<b>42</b>	<u>5,889.</u>
<b>43</b>	<b>Is your federal AGI (Form 540, line 13) more than the amount shown below for your filing status?</b>		
	Single or married/RDP filing separately.....		<b>\$160,739</b>
	Head of household.....		<b>\$241,113</b>
	Married/RDP filing jointly or qualifying widow(er).....		<b>\$321,483</b>
<b>No.</b>	Transfer the amount on line 42 to line 43.		
<b>Yes.</b>	Complete the Itemized Deductions Worksheet in the instructions for Schedule CA (540), line 43.....	<b>43</b>	<div style="border: 1px solid black; padding: 2px; display: inline-block;">5,889.</div>
<b>44</b>	<b>Enter the larger of the amount on line 43 or your standard deduction listed below</b>		
	Single or married/RDP filing separately.....		<b>\$3,637</b>
	Married/RDP filing jointly, head of household, or qualifying widow(er).....		<b>\$7,274</b>
	Transfer the amount on line 44 to Form 540, line 18.....	<b>44</b>	<div style="border: 1px solid black; padding: 2px; display: inline-block;">5,889.</div>

Demo

2009

Alternative Minimum Tax and  
Credit Limitations – Residents

P (540)

Attach this schedule to Form 540.

Name(s) as shown on Form 540

Your SSN or ITIN

JOE TRADER MTM COMM LOSS EX 10

999-99-9999

**Part I Alternative Minimum Taxable Income (AMTI)** Important: See instructions for information regarding California/federal differences.

1	If you itemized deductions, go to line 2. If you did not itemize deductions, enter your standard deduction from Form 540, line 18, and go to line 6.	1	0.
2	Medical and dental expense. Enter the smaller of Schedule A (Form 1040), line 4, or 2-1/2% (.025) of Form 1040, line 37.	2	
3	Personal property taxes and real property taxes. See instructions.	3	
4	Certain interest on a home mortgage <b>not</b> used to buy, build, or improve your home. See instructions.	4	
5	Miscellaneous itemized deductions. See instructions.	5	65.
6	Refund of personal property taxes and real property taxes. See instructions.	6	
<b>Do not</b> include your state income tax refund on this line.			
7	Investment interest expense adjustment. See instructions.	7	
8	Post-1986 depreciation. See instructions.	8	
9	Adjusted gain or loss. See instructions.	9	
10	Incentive stock options and California qualified stock options (CQSOs). See instructions.	10	
11	Passive activities adjustment. See instructions.	11	
12	Beneficiaries of estates and trusts. Enter the amount from Schedule K-1 (541), line 12a.	12	
13	Other adjustment and preferences. Enter the amount, if any, for each item, a through o, and enter the total on line 13. See instructions.		
a	Appreciated contribution carryover.	h	Loss limitations.
b	Circulation expenditures.	i	Mining costs.
c	Depletion.	j	Patron's adjustment.
d	Depreciation (pre-1987).	k	Pollution control facilities.
e	Installment sales.	l	Qualified small business stock.
f	Intangible drilling costs.	m	Research and experimental.
g	Long-term contracts.	n	Tax shelter farm activities.
		o	Related adjustments.
14	Total Adjustments and Preferences. Combine line 1 through line 13.	14	65.
15	Enter taxable income from Form 540, line 19. See instructions.	15	-405,576.
16	Net operating loss (NOL) deductions from Schedule CA (540), line 21d and 21e, column B. Enter as a positive amount.	16	304,182.
17	AMTI exclusion. See instructions.	17	0.
18	If your federal adjusted gross income (AGI) is less than the amount for your filing status (listed below), skip this line and go to line 19. If you itemized deductions and your federal AGI is more than the amount for your filing status, see instructions.	18	
	Single or married/RDP filing separately.		\$160,739
	Married/RDP filing jointly or qualifying widow(er).		\$321,483
	Head of household.		\$241,113
19	Combine line 14 through line 18.	19	-101,329.
20	Alternative minimum tax NOL deduction. See instructions.	20	
21	<b>Alternative Minimum Taxable Income.</b> Subtract line 20 from line 19 (if married/RDP filing separately and line 21 is more than \$305,409, see instructions).	21	-101,329.

**Part II Alternative Minimum Tax (AMT)**

22	<b>Exemption Amount.</b> (If this schedule is for a child under age 14, see instructions.)		
	<b>If your filing status is:</b>	<b>And line 21 is not over:</b>	<b>Enter on line 22:</b>
	Single or head of household	\$ 221,674	\$ 59,114
	Married/RDP filing jointly or qualifying widow(er)	295,564	78,817
	Married/RDP filing separately	147,781	39,407
	If Part I, line 21 is more than the amount shown above for your filing status, see instructions.		
23	Subtract line 22 from line 21. If zero or less, enter -0-	23	0.
24	Tentative Minimum Tax. Multiply line 23 by 7.25% (.0725).	24	
25	Regular tax before credits from Form 540, line 31.	25	0.
26	<b>Alternative Minimum Tax.</b> Subtract line 25 from line 24. If zero or less, enter -0- here and on Form 540, line 61. If more than zero, enter here and on Form 540, line 61. If you make estimated tax payments for taxable year 2010, enter amount from line 26 on the 2010 Form 540-ES, Estimated Tax Worksheet, line 16. (Exception: If you have carryover credit for solar energy or commercial solar energy, first enter the result on Side 2, Part III, Section C, line 23 or 24.)	26	0.



**Part III Credits that Reduce Tax** **Note:** Be sure to attach your credit forms to Form 540.

<b>1</b>	Enter the amount from Form 540, line 35.....	<b>1</b>	0.		
<b>2</b>	Enter the tentative minimum tax from Side 1, Part II, line 24.....	<b>2</b>			
		(a) Credit amount	(b)* Credit used this year	(c) Tax balance that may be offset by credits	(d) Credit carryover
<b>Section A – Credits that reduce excess tax.</b>					
<b>3</b>	Subtract line 2 from line 1. If zero or less enter -0- and see instructions. This is your excess tax which may be offset by credits.....	<b>3</b>		0.	
<b>A1 Credits that reduce excess tax and have no carryover provisions.</b>					
<b>4</b>	Code: 162 Prison inmate labor credit (FTB 3507).....	<b>4</b>			
<b>5</b>	Code: 169 Enterprise zone employee credit (FTB 3553).....	<b>5</b>			
<b>6</b>	Code: 219 New Home Credit (FTB 3528-A).....	<b>6</b>			
<b>A2 Credits that reduce excess tax and have carryover provisions. See instructions.</b>					
<b>7</b>	Code: _____ Credit Name: _____	<b>7</b>			
<b>8</b>	Code: _____ Credit Name: _____	<b>8</b>			
<b>9</b>	Code: _____ Credit Name: _____	<b>9</b>			
<b>10</b>	Code: _____ Credit Name: _____	<b>10</b>			
<b>11</b>	Code: 188 Credit for prior year alternative minimum tax.....	<b>11</b>			
<b>Section B – Credits that may reduce tax below tentative minimum tax.</b>					
<b>12</b>	If Part III, line 3 is zero, enter the amount from line 1. If line 3 is more than zero, enter the total of line 2 and the last entry in column (c).....	<b>12</b>			
<b>B1 Credits that reduce net tax and have no carryover provisions.</b>					
<b>13</b>	Code: 170 Credit for joint custody head of household....	<b>13</b>			
<b>14</b>	Code: 173 Credit for dependent parent.....	<b>14</b>			
<b>15</b>	Code: 163 Credit for senior head of household.....	<b>15</b>			
<b>16</b>	Nonrefundable renter's credit.....	<b>16</b>	60.		
<b>B2 Credits that reduce net tax and have carryover provisions. See instructions.</b>					
<b>17</b>	Code: _____ Credit Name: _____	<b>17</b>			
<b>18</b>	Code: _____ Credit Name: _____	<b>18</b>			
<b>19</b>	Code: _____ Credit Name: _____	<b>19</b>			
<b>20</b>	Code: _____ Credit Name: _____	<b>20</b>			
<b>B3 Other state tax credit.</b>					
<b>21</b>	Code: 187 Other state tax credit.....	<b>21</b>			
<b>Section C – Credits that may reduce alternative minimum tax.</b>					
<b>22</b>	Enter your alternative minimum tax from Side 1, Part II, line 26.....	<b>22</b>			
<b>23</b>	Code: 180 Solar energy credit carryover from Section B2, column (d).....	<b>23</b>			
<b>24</b>	Code: 181 Commercial solar energy credit carryover from Section B2, column (d).....	<b>24</b>			
<b>25</b>	Adjusted AMT. Enter the balance from line 24, column (c) here and on Form 540, line 61.....	<b>25</b>			

\* If the taxpayer is subject to the business tax credit limitation, the total of the business credits in Part III, Column (b) cannot exceed 50% of the amount reported on Part III, Line 1.

**2009****Investment Interest Expense Deduction****3526**

Attach to Form 540, Long Form 540NR, or Form 541.

Name(s) as shown on return

SSN, ITIN, or FEIN

JOE TRADER MTM COMM LOSS EX 10

999-99-9999

<b>1</b> Investment interest expense paid or accrued in 2009. See instructions. ....	<b>1</b>	<u>482.</u>
<b>2</b> Disallowed investment interest expense from 2008 form FTB 3526, line 7. If zero or less, enter -0- ....	<b>2</b>	<u>0.</u>
<b>3</b> Total investment interest expense. Add line 1 and line 2. ....	<b>3</b>	<u>482.</u>
<b>4a</b> Gross income from property held for investment (excluding any net gain from the disposition of property held for investment). See instructions. ....	<b>4a</b>	<u>959.</u>
<b>4b</b> Net gain from the disposition of property held for investment. See instructions ..	<b>4b</b>	<u>15,366.</u>
<b>4c</b> Net capital gain from the disposition of property held for investment. See instructions. ....	<b>4c</b>	<u>15,366.</u>
<b>4d</b> Subtract line 4c from line 4b. If zero or less, enter -0- ....	<b>4d</b>	<u>0.</u>
<b>4e</b> Enter all or part of the amount on line 4c that you elect to include in investment income. <b>Do not</b> include more than the amount on line 4b. See instructions. ....	<b>4e</b>	<u>15,366.</u>
<b>4f</b> Investment income. Add line 4a, line 4d, and line 4e. ....	<b>4f</b>	<u>16,325.</u>
<b>5</b> Investment expenses. See instructions. ....	<b>5</b>	<u>65.</u>
<b>6</b> Net investment income. Subtract line 5 from line 4f. ....	<b>6</b>	<u>16,260.</u>
<b>7</b> Disallowed investment interest expense to be carried forward to 2010. Subtract line 6 from line 3. If zero or less, enter -0- ....	<b>7</b>	<u>0.</u>
<b>8</b> Investment interest expense deduction. Enter the smaller of line 3 or line 6. Form 541 filers, stop here and see instructions. All other filers, go to line 9. ....	<b>8</b>	<u>482.</u>
<b>9</b> Enter the amount from federal Form 4952, line 8. ....	<b>9</b>	<u></u>
<b>10</b> California investment interest expense deduction adjustment. Enter the difference between line 8 and line 9. See instructions. ....	<b>10</b>	<u>482.</u>

Demo

2009

# Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Individuals, Estates, and Trusts

3805V

Attach to your California tax return.

Name(s) as shown on return

SSN or ITIN

999-99-9999

FEIN

JOE TRADER MTM COMM LOSS EX 10

## Part I Computation of Current Year NOL for Individuals, Estates, and Trusts. If you do not have a current year NOL, go to Part II.

### Section A – California Residents Only (Nonresidents go to Section B.)

- |    |   |    |              |
|----|---|----|--------------|
| 1  | Adjusted gross income from 2009 Form 540, line 17. If negative, use brackets. Estates and Trusts, begin on line 3.  | 1  | ( 399,687. ) |
| 2  | Itemized deductions or standard deduction from 2009 Form 540, line 18.  | 2  | ( 5,889. )   |
| 3a | Combine line 1 and line 2. (Estates and Trusts, enter taxable income, see instructions.) If negative, use brackets. If positive, enter -0- here and on line 27. <b>Do not</b> complete the rest of Section A. You do not have a current year NOL. Complete Part II and Part III if you have a carryover from prior years. | 3a | ( 405,576. ) |
| 3b | 2009 designated disaster loss included in line 3a. Enter as a positive number.  | 3b | 0.           |
| 3c | Combine line 3a and line 3b. If negative, use brackets and continue to line 4. If zero or more, <b>do not</b> complete the rest of Part I. Enter the amount from line 3b, if any, in Part III, line 3, column (d) and complete Part II and Part III as instructed.  | 3c | ( 405,576. ) |

Enter amounts on line 4 through line 26 as if they were all **positive** numbers. See instructions.

- |    |   |    |              |
|----|---|----|--------------|
| 4  | Nonbusiness capital losses.   | 4  |              |
| 5  | Nonbusiness capital gains. See instructions.  | 5  | 15,366.      |
| 6  | If line 4 is more than line 5, enter the difference; otherwise, enter -0-.  | 6  | 0.           |
| 7  | If line 4 is less than line 5, enter the difference; otherwise, enter -0-.  | 7  | 15,366.      |
| 8  | Nonbusiness deductions.   | 8  | 5,889.       |
| 9  | Nonbusiness income other than capital gains.  | 9  | 959.         |
| 10 | Add line 7 and line 9.  | 10 | 16,325.      |
| 11 | If line 8 is more than line 10, enter the difference; otherwise, enter -0-.   | 11 | 0.           |
| 12 | If line 8 is less than line 10, enter the difference; otherwise, enter -0-.   | 12 | 10,436.      |
| 13 | Business capital losses.  | 13 |              |
| 14 | Business capital gains.   | 14 |              |
| 15 | Add line 12 and line 14.  | 15 | 10,436.      |
| 16 | If line 13 is more than line 15, enter the difference; otherwise, enter -0-.  | 16 | 0.           |
| 17 | Add line 6 and line 16.   | 17 |              |
| 18 | Enter the loss, if any, from line 8 of Schedule D (540). Estates and Trusts, enter the loss, if any, from line 9, column (c), of Schedule D (541). If you do not have a loss on that line (and do not have an R&TC Section 18152.5 exclusion), skip line 18 through line 23 and enter on line 24 the amount from line 17. | 18 |              |
| 19 | R&TC Section 18152.5 exclusion. Enter as a positive number.   | 19 |              |
| 20 | Subtract line 19 from line 18. If zero or less, enter -0-.  | 20 | 0.           |
| 21 | Enter the loss, if any, from line 9 of Schedule D (540). Estates and Trusts, enter the loss, if any, from line 10 of Schedule D (541). Enter as a positive number.  | 21 | 0.           |
| 22 | If line 20 is more than line 21, enter the difference; otherwise, enter -0-.  | 22 | 0.           |
| 23 | If line 21 is more than line 20, enter the difference; otherwise enter -0-.   | 23 | 0.           |
| 24 | Subtract line 22 from line 17. If zero or less, enter -0-.  | 24 | 0.           |
| 25 | NOL and disaster loss carryovers from prior years. See instructions.  | 25 | 304,182.     |
| 26 | Add lines 11, 19, 23, 24, and 25.   | 26 | 304,182.     |
| 27 | <b>2009 NOL carryover.</b> Combine line 3c and line 26. If more than zero, enter -0-. You do not have a current year NOL to carryover.  | 27 | ( 101,394. ) |

**Section B – Nonresidents and Part-Year Residents Only – Computation of Current Year California NOL**

	A Enter total amounts as if you were a <b>CA resident for entire year.</b>	B Enter amounts earned or received from CA sources if you were a <b>nonresident for the entire year.</b>	C Enter amounts earned or received during the portion of the year you were a <b>CA resident.</b>	D Enter amounts earned or received from CA sources during the portion of the year you were a <b>nonresident.</b>	E <b>Total</b> Combine columns C and D.
<b>1</b> Adjusted gross income. See instructions. If negative, use brackets . . . . . <b>1</b>					
<b>2</b> Itemized deductions or standard deduction. See instructions . . . . . <b>2</b>					
<b>3a</b> Combine line 1 and line 2. If negative, use brackets. If positive, enter -0- here and on line 27. Complete Part II and Part III if you have a carryover from prior years. . . <b>3a</b>					
<b>b</b> 2009 designated disaster loss included in line 3a. Enter as a positive number . . . . . <b>3b</b>					
<b>c</b> Combine line 3a and line 3b. If negative, use brackets and continue to line 4 . . . . . <b>3c</b>					
Enter amounts on line 4 through line 26 as if they were all <b>positive</b> numbers.					
<b>4</b> Nonbusiness capital losses . . . . . <b>4</b>					
<b>5</b> Nonbusiness capital gains. . . . . <b>5</b>					
<b>6</b> If line 4 is more than line 5, enter the difference; otherwise, enter -0- . . <b>6</b>					
<b>7</b> If line 4 is less than line 5, enter the difference; otherwise, enter -0- . . <b>7</b>					
<b>8</b> Nonbusiness deductions . . . . . <b>8</b>					
<b>9</b> Nonbusiness income other than capital gains . . . . . <b>9</b>					
<b>10</b> Add line 7 and line 9 . . . . . <b>10</b>					
<b>11</b> If line 8 is more than line 10, enter the difference; otherwise, enter -0- . . <b>11</b>					
<b>12</b> If line 8 is less than line 10, enter the difference; otherwise, enter -0- . . <b>12</b>					
<b>13</b> Business capital losses. . . . . <b>13</b>					
<b>14</b> Business capital gains . . . . . <b>14</b>					
<b>15</b> Add line 12 and line 14. . . . . <b>15</b>					
<b>16</b> If line 13 is more than line 15, enter the difference; otherwise, enter -0- . . . . . <b>16</b>					
<b>17</b> Add line 6 and line 16. . . . . <b>17</b>					
<b>18</b> Enter the loss, if any, from line 4 of Schedule D (540NR) worksheet for nonresidents and part-year residents. If you do not have a loss on that line (and do not have an R&TC Section 18152.5 exclusion), skip line 18 through line 23 and enter on line 24 the amount from line 17. . . . . <b>18</b>					
<b>19</b> R&TC Section 18152.5 exclusion. Enter as a positive number . . . . . <b>19</b>					
<b>20</b> Subtract line 19 from line 18. If zero or less, enter -0- . . . . . <b>20</b>					
<b>21</b> Enter the loss, if any, from line 5 of Schedule D (540NR) worksheet for nonresidents and part-year residents. Enter as a positive number . . . . . <b>21</b>					
<b>22</b> If line 20 is more than line 21, enter the difference; otherwise, enter -0- . . . . . <b>22</b>					
<b>23</b> If line 21 is more than line 20, enter the difference; otherwise, enter -0- . . . . . <b>23</b>					
<b>24</b> Subtract line 22 from line 17. If zero or less, enter -0- . . . . . <b>24</b>					
<b>25</b> NOL and disaster loss carryovers from prior years. . . . . <b>25</b>					
<b>26</b> Add lines 11, 19, 23, 24, and 25. . <b>26</b>					
<b>27</b> <b>2009 NOL carryover.</b> Combine line 3c and line 26. If more than zero, enter -0- . . . . . <b>27</b>					

**Part II Determine 2009 Modified Taxable Income (MTI).** Be sure to read the instructions for Part II.

1	Taxable income. See instructions.....	1	( 405,576. )
Enter amounts on line 2 through line 4 as if they were all <b>positive</b> numbers.			
2	Capital loss deduction included in line 1.....	2	
3	Disaster loss carryover included in line 1.....	3	
4	NOL carryover included in line 1.....	4	304,182.
5	MTI. Combine line 1 through line 4. If line 5 is zero or less, enter -0-.....	5	0.

**Part III NOL Carryover and Disaster Loss Carryover Limitations.** See Instructions.

		(g) Available balance	
1	MTI from Part II, line 5. <b>If your net business income is \$500,000 or more, see instructions.</b> .....	1	

**Prior Year NOLs**

(a) Year of loss	(b) Code	(c) Type of NOL* See below	(d) Initial Loss	(e) Carryover from 2008	(f) Amount used in 2009		(h) Carryover to 2010 subtract column (f) from column (e)
2 2007		GEN	101,394.	101,394.	0.	0.	101,394.
2007		GEN	101,394.	101,394.	0.	0.	101,394.
2008		GEN	101,394.	101,394.	0.	0.	101,394.

**Current Year NOLs**

3 2009		DIS					
4 2009		GEN	101,394.				101,394.
2009							
2009							
2009							

\*Type of NOL: General (GEN), New Business (NB), Eligible Small Business (ESB), or Disaster (DIS).

5	NOL carryover. Add the carryover amounts in column (h) that are not the result of a disaster loss.....	5	405,576.
6	Disaster loss carryover. Enter the total loss carryover amounts in column (h) that are the result of disaster losses.....	6	

2009

# Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Individuals, Estates, and Trusts

3805V

Attach to your California tax return.

Name(s) as shown on return

SSN or ITIN

999-99-9999

FEIN

JOE TRADER MTM COMM LOSS EX 10

## Part I Computation of Current Year NOL for Individuals, Estates, and Trusts. If you do not have a current year NOL, go to Part II.

### Section A – California Residents Only (Nonresidents go to Section B.)

- 1 Adjusted gross income from 2009 Form 540, line 17. If negative, use brackets. Estates and Trusts, begin on line 3. .... **1** \_\_\_\_\_
- 2 Itemized deductions or standard deduction from 2009 Form 540, line 18. .... **2** \_\_\_\_\_
- 3a Combine line 1 and line 2. (Estates and Trusts, enter taxable income, see instructions.) If negative, use brackets. If positive, enter -0- here and on line 27. **Do not** complete the rest of Section A. You do not have a current year NOL. Complete Part II and Part III if you have a carryover from prior years. .... **3a** ( 101,329. )
- b 2009 designated disaster loss included in line 3a. Enter as a positive number. .... **3b** 0.
- c Combine line 3a and line 3b. If negative, use brackets and continue to line 4. If zero or more, **do not** complete the rest of Part I. Enter the amount from line 3b, if any, in Part III, line 3, column (d) and complete Part II and Part III as instructed. .... **3c** ( 101,329. )

Enter amounts on line 4 through line 26 as if they were all **positive** numbers. See instructions.

- 4 Nonbusiness capital losses. .... **4** \_\_\_\_\_
- 5 Nonbusiness capital gains. See instructions. .... **5** 15,366.
- 6 If line 4 is more than line 5, enter the difference; otherwise, enter -0-. .... **6** 0.
- 7 If line 4 is less than line 5, enter the difference; otherwise, enter -0-. .... **7** 15,366.
- 8 Nonbusiness deductions. .... **8** 5,280.
- 9 Nonbusiness income other than capital gains. .... **9** 959.
- 10 Add line 7 and line 9. .... **10** 16,325.
- 11 If line 8 is more than line 10, enter the difference; otherwise, enter -0-. .... **11** 0.
- 12 If line 8 is less than line 10, enter the difference; otherwise, enter -0-. .... **12** 11,045.
- 13 Business capital losses. .... **13** \_\_\_\_\_
- 14 Business capital gains. .... **14** \_\_\_\_\_
- 15 Add line 12 and line 14. .... **15** 11,045.
- 16 If line 13 is more than line 15, enter the difference; otherwise, enter -0-. .... **16** 0.
- 17 Add line 6 and line 16. .... **17** \_\_\_\_\_
- 18 Enter the loss, if any, from line 8 of Schedule D (540). Estates and Trusts, enter the loss, if any, from line 9, column (c), of Schedule D (541). If you do not have a loss on that line (and do not have an R&TC Section 18152.5 exclusion), skip line 18 through line 23 and enter on line 24 the amount from line 17. .... **18** \_\_\_\_\_
- 19 R&TC Section 18152.5 exclusion. Enter as a positive number. .... **19** \_\_\_\_\_
- 20 Subtract line 19 from line 18. If zero or less, enter -0-. .... **20** 0.
- 21 Enter the loss, if any, from line 9 of Schedule D (540). Estates and Trusts, enter the loss, if any, from line 10 of Schedule D (541). Enter as a positive number. .... **21** 0.
- 22 If line 20 is more than line 21, enter the difference; otherwise, enter -0-. .... **22** 0.
- 23 If line 21 is more than line 20, enter the difference; otherwise enter -0-. .... **23** 0.
- 24 Subtract line 22 from line 17. If zero or less, enter -0-. .... **24** 0.
- 25 NOL and disaster loss carryovers from prior years. See instructions. .... **25** \_\_\_\_\_
- 26 Add lines 11, 19, 23, 24, and 25. .... **26** \_\_\_\_\_
- 27 **2009 NOL carryover.** Combine line 3c and line 26. If more than zero, enter -0-. You do not have a current year NOL to carryover. .... **27** ( 101,329. )

**Section B – Nonresidents and Part-Year Residents Only – Computation of Current Year California NOL**

AMT COPY

	A Enter total amounts as if you were a <b>CA resident for entire year.</b>	B Enter amounts earned or received from CA sources if you were a <b>nonresident for the entire year.</b>	C Enter amounts earned or received during the portion of the year you were a <b>CA resident.</b>	D Enter amounts earned or received from CA sources during the portion of the year you were a <b>nonresident.</b>	E <b>Total</b> Combine columns C and D.
<b>1</b> Adjusted gross income. See instructions. If negative, use brackets . . . . . <b>1</b>					
<b>2</b> Itemized deductions or standard deduction. See instructions . . . . . <b>2</b>					
<b>3a</b> Combine line 1 and line 2. If negative, use brackets. If positive, enter -0- here and on line 27. Complete Part II and Part III if you have a carryover from prior years. . . <b>3a</b>					
<b>b</b> 2009 designated disaster loss included in line 3a. Enter as a positive number . . . . . <b>3b</b>					
<b>c</b> Combine line 3a and line 3b. If negative, use brackets and continue to line 4 . . . . . <b>3c</b>					
Enter amounts on line 4 through line 26 as if they were all <b>positive</b> numbers.					
<b>4</b> Nonbusiness capital losses . . . . . <b>4</b>					
<b>5</b> Nonbusiness capital gains. . . . . <b>5</b>					
<b>6</b> If line 4 is more than line 5, enter the difference; otherwise, enter -0- . . <b>6</b>					
<b>7</b> If line 4 is less than line 5, enter the difference; otherwise, enter -0- . . <b>7</b>					
<b>8</b> Nonbusiness deductions . . . . . <b>8</b>					
<b>9</b> Nonbusiness income other than capital gains . . . . . <b>9</b>					
<b>10</b> Add line 7 and line 9 . . . . . <b>10</b>					
<b>11</b> If line 8 is more than line 10, enter the difference; otherwise, enter -0- . . <b>11</b>					
<b>12</b> If line 8 is less than line 10, enter the difference; otherwise, enter -0- . . <b>12</b>					
<b>13</b> Business capital losses. . . . . <b>13</b>					
<b>14</b> Business capital gains . . . . . <b>14</b>					
<b>15</b> Add line 12 and line 14. . . . . <b>15</b>					
<b>16</b> If line 13 is more than line 15, enter the difference; otherwise, enter -0- . . . . . <b>16</b>					
<b>17</b> Add line 6 and line 16. . . . . <b>17</b>					
<b>18</b> Enter the loss, if any, from line 4 of Schedule D (540NR) worksheet for nonresidents and part-year residents. If you do not have a loss on that line (and do not have an R&TC Section 18152.5 exclusion), skip line 18 through line 23 and enter on line 24 the amount from line 17. . . . . <b>18</b>					
<b>19</b> R&TC Section 18152.5 exclusion. Enter as a positive number . . . . . <b>19</b>					
<b>20</b> Subtract line 19 from line 18. If zero or less, enter -0- . . . . . <b>20</b>					
<b>21</b> Enter the loss, if any, from line 5 of Schedule D (540NR) worksheet for nonresidents and part-year residents. Enter as a positive number . . . . . <b>21</b>					
<b>22</b> If line 20 is more than line 21, enter the difference; otherwise, enter -0- . . . . . <b>22</b>					
<b>23</b> If line 21 is more than line 20, enter the difference; otherwise, enter -0- . . . . . <b>23</b>					
<b>24</b> Subtract line 22 from line 17. If zero or less, enter -0- . . . . . <b>24</b>					
<b>25</b> NOL and disaster loss carryovers from prior years. . . . . <b>25</b>					
<b>26</b> Add lines 11, 19, 23, 24, and 25. . <b>26</b>					
<b>27</b> <b>2009 NOL carryover.</b> Combine line 3c and line 26. If more than zero, enter -0- . . . . . <b>27</b>					

**Part II Determine 2009 Modified Taxable Income (MTI).** Be sure to read the instructions for Part II. **ALT. MIN. TAX**

1 Taxable income. See instructions. . . . . AMTI, BEFORE, ATNOLD. (SCH. P, LINE 19) . . . . . 1 ( 101,329. )

Enter amounts on line 2 through line 4 as if they were all **positive** numbers.

2 Capital loss deduction included in line 1. . . . . 2

3 Disaster loss carryover included in line 1. . . . . 3

4 NOL carryover included in line 1. . . . . 4

5 MTI. Combine line 1 through line 4. If line 5 is zero or less, enter -0- . . . . . MODIFIED, AMTI 5 0.

ATNOLD LIMITATION PERCENTAGE 90

**Part III NOL Carryover and Disaster Loss Carryover Limitations.** See Instructions.

	(g) Available balance	
1 MTI from Part II, line 5. <b>If your net business income is \$500,000 or more, see instructions.</b> . . . . . 1		

**Prior Year NOLs**

(a) Year of loss	(b) Code	(c) Type of NOL* See below	(d) Initial Loss	(e) Carryover from 2008	(f) Amount used in 2009		(h) Carryover to 2010 subtract column (f) from column (e)
2 2007		GEN	101,329.	101,329.	0.	0.	101,329.
2008		GEN	101,329.	101,329.	0.	0.	101,329.

**Current Year NOLs**

3 2009		DIS					
4 2009		GEN	101,329.				101,329.
2009							
2009							
2009							

\*Type of NOL: General (GEN), New Business (NB), Eligible Small Business (ESB), or Disaster (DIS).

5 NOL carryover. Add the carryover amounts in column (h) that are not the result of a disaster loss . . . . . 5 303,987.

6 Disaster loss carryover. Enter the total loss carryover amounts in column (h) that are the result of disaster losses . . . . . 6



## Depreciation and Amortization Adjustments

# 3885A

**Do not complete this form if your California depreciation amounts are the same as federal amounts.**

Social security number

SCHEDULE C

999-99-9999

1 ☐ This form is being completed for a passive activity. ☒ This form is being completed for a nonpassive activity.

**2** Enter the amount from line 12 of the Tangible Property Expense Worksheet in the instructions . . . . . **2**

[illegible]

**b** If line 6 is **less** than line 7, enter the difference here and see instructions. . . . . **8 b** 2,649.

[illegible]

**b** If line 12 is **less** than line 13, enter the difference here and see instructions. . . . . **14b**

**SCHEDULE A**  
**(Form 1040)**

Department of the Treasury  
Internal Revenue Service (99)

**Itemized Deductions**  
**For California Only**

► **Attach to Form 1040.** ► **See Instructions for Schedule A (Form 1040).**

OMB No. 1545-0074

**2009**

Attachment  
Sequence No. **07**

Name(s) shown on Form 1040

Your social security number

Joe Trader MTM Comm Loss Ex 10

999-99-9999

**Medical  
and  
Dental  
Expenses**

**Caution.** Do not include expenses reimbursed or paid by others.

1	Medical and dental expenses (see instructions)	1	5,342.	
2	Enter amount from Form 1040, line 38	2	-98,154.	
3	Multiply line 2 by 7.5% (.075)	3		
4	Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-	4		5,342.

**Taxes You  
Paid**

5 State and local (check only one box):

a ☐ Income taxes, or

b ☒ General sales taxes

(See  
instructions.)

6	Real estate taxes (see instructions)	6		
7	New motor vehicle taxes from line 11 of the worksheet on page 2. Skip this line if you checked box 5b	7		
8	Other taxes. List type and amount ►	8		
9	Add lines 5 through 8	9		285.

**Interest  
You Paid**

10	Home mtg interest and points reported to you on Form 1098	10		
11	Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see instructions and show that person's name, identifying number, and address ►	11		
12	Points not reported to you on Form 1098. See instrs for spcl rules	12		
13	Qualified mortgage insurance premiums (see instructions)	13		
14	Investment interest. Attach Form 4952 if required. (See instrs.)	14		
15	Add lines 10 through 14	15		0.

**Gifts to  
Charity**

If you made  
a gift and  
got a benefit  
for it, see  
instructions.

16	Gifts by cash or check. If you made any gift of \$250 or more, see instrs	16	985.	
17	Other than by cash or check. If any gift of \$250 or more, see instructions. You <b>must</b> attach Form 8283 if over \$500	17		
18	Carryover from prior year	18		
19	Add lines 16 through 18	19	-985.	0.

**Casualty and  
Theft Losses**

20	Casualty or theft loss(es). Attach Form 4684. (See instructions.)	20		0.
----	---	----	--	----

**Job Expenses  
and Certain  
Miscellaneous  
Deductions**

(See  
instructions.)

21	Unreimbursed employee expenses — job travel, union dues, job education, etc. Attach Form 2106 or 2106-EZ if required. (See instructions.)	21		
22	Tax preparation fees	22		
23	Other expenses — investment, safe deposit box, etc. List type and amount ► Schwab 65.	23	65.	
24	Add lines 21 through 23	24	65.	
25	Enter amount from Form 1040, line 38	25	-98,154.	
26	Multiply line 25 by 2% (.02)	26		
27	Subtract line 26 from line 24. If line 26 is more than line 24, enter -0-	27		65.

**Other  
Miscellaneous  
Deductions**

28	Other — from list in the instructions. List type and amount ►	28		0.
----	---	----	--	----

**Total  
Itemized  
Deductions**

29	Is Form 1040, line 38, over \$166,800 (over \$83,400 if married filing separately)? <input checked="" type="checkbox"/> <b>No.</b> Your deduction is not limited. Add the amounts in the far right column for lines 4 through 28. Also, enter this amount on Form 1040, line 40a. <input type="checkbox"/> <b>Yes.</b> Your deduction may be limited. See instructions for the amount to enter.	29		5,692.
30	If you elect to itemize deductions even though they are less than your standard deduction, check here ► <input type="checkbox"/>			

2009

## Federal Income Tax Summary

Page 1

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

3:32 PM

	2009	2008	Diff
<b>INCOME</b>			
Interest income.....	62	62	0
Dividend income.....	897	897	0
Business income.....	-35,293	-35,293	0
Capital gain or loss.....	15,366	15,366	0
Form 4797 gains or losses.....	-79,186	-79,186	0
Total income.....	-98,154	-98,154	0
<b>ADJUSTMENTS TO INCOME</b>			
Total adjustments.....	0	0	0
Adjusted gross income.....	-98,154	-98,154	0
<b>ITEMIZED DEDUCTIONS</b>			
Medical & dental.....	5,342	5,342	0
Taxes.....	285	246	39
Miscellaneous (subject to 2% of AGI).....	65	65	0
Total itemized deductions.....	5,692	5,653	39
<b>TAX COMPUTATION</b>			
Standard deduction.....	5,700	5,450	250
Larger of itemized or standard deduction.....	5,700	5,653	47
Income prior to exemption deduction.....	-103,854	-103,807	-47
Exemption deduction.....	3,650	3,500	150
Taxable income.....	-107,504	-107,307	-197
Tax before credits.....	0	0	0
<b>CREDITS</b>			
Total credits.....	0	0	0
Tax after credits.....	0	0	0
<b>OTHER TAXES</b>			
Total tax.....	0	0	0
<b>PAYMENTS</b>			
Total payments.....	0	0	0
<b>REFUND OR AMOUNT DUE</b>			
Amount you owe.....	0	0	0
<b>TAX RATES</b>			
Marginal tax rate.....	0.0%	0.0%	0.0%

2009

## California Income Tax Summary

Page 1

Client EX10F-CA

Joe Trader MTM Comm Loss Ex 10

999-99-9999

2/13/10

3:32 PM

	2009	2008	Diff
<b>FEDERAL ADJUSTED GROSS INCOME</b>			
Federal adjusted gross income.....	-98,154	-98,154	0
<b>CALIFORNIA SUBTRACTIONS</b>			
Net operating loss carryover.....	304,182	202,788	101,394
Total subtractions from federal AGI.....	304,182	202,788	101,394
<b>CALIFORNIA ADDITIONS</b>			
Business income or (loss).....	2,649	2,649	0
Total additions to federal AGI.....	2,649	2,649	0
<b>ADJUSTED GROSS INCOME</b>			
Adjusted gross income.....	-399,687	-298,293	-101,394
<b>ITEMIZED DEDUCTIONS</b>			
Federal itemized deductions.....	5,692	5,653	39
Less state, local and foreign taxes.....	285	246	39
Other adjustments.....	482	482	0
California itemized deductions.....	5,889	5,889	0
California standard deduction.....	3,637	3,692	-55
<b>TAX COMPUTATION</b>			
Total taxable income.....	0	0	0
Tax.....	0	0	0
Exemption credits.....	98	99	-1
Net tax.....	0	0	0
<b>PAYMENTS</b>			
California income tax withheld.....	0	0	0
Total payments.....	0	0	0
<b>REFUND OR AMOUNT DUE</b>			
Amount overpaid.....	0	0	0
Amount you owe.....	0	0	0
<b>TAX RATES</b>			
Marginal tax rate.....	0.0%	0.0%	0.0%

**2009****General Information****Page 1****Client EX10F-CA****Joe Trader MTM Comm Loss Ex 10****999-99-9999**

2/13/10

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**Forms needed for this return**

Federal: 1040, Sch B, Sch C, Sch D, 4562, 4797, 4952, 6251, 6781, 8829  
California: 540, Sch CA, Sch P, 3526, 3805V, 3885A, Sch A

**Tax Rates**

	<u>Marginal</u>	<u>Effective</u>
Federal	0.%	0.%
California	0.%	0.%

**Carryovers to 2010**Federal Carryovers

Current Year Net Operating Loss	103,854.
Current Year AMT Net Operating Loss	98,154.
Contributions (50%)	985.
Investment Interest - Sch. A	482.
AMT Investment Interest - Sch. A	420.
Bus Use of Home Operating Expenses	7,236.
AMT Bus Use of Home Operating Exp	7,236.

California Carryovers

Current Year Net Operating Loss	101,394.
Prior Net Operating Loss	304,182.
Current Year AMT Net Operating Loss	101,329.
Prior AMT Net Operating Loss	202,658.
Contributions (50%)	985.
Bus Use of Home Operating Expenses	7,236.
AMT Bus Use of Home Operating Exp	7,236.

### Future Tax Savings

- ☐ If the medical insurance premiums currently being paid by the taxpayer are for a high deductible health plan, consideration should be given to opening a Health Savings Account (HSA) under IRC Section 223. Qualified HSA contributions provide for an above-the-line deduction. In 2010, the policy must have an annual deductible of at least \$1,200 (\$2,400 for family coverage) and maximum out-of-pocket expenses not exceeding \$5,950 (\$11,900 for family coverage). If the taxpayer participates for the entire year, contributions up to the amount of the annual deductible, but not exceeding \$3,050 (\$6,150 for family coverage) could be deducted on the tax return. In 2010, catch-up contributions of \$1,000 can be made by taxpayers between age 55 and 65. Distributions and earnings from HSA's are not taxed provided they are used to pay qualified medical expenses.

### Tax Tips

- ☐ Taxable income is \$-107,504, placing the taxpayer in a 0% marginal tax bracket. Based on 2009 tax rates, income would have to increase by over \$107,504 in order for any income to begin being taxed in the 10% bracket. This may be used as a guide in determining the advantages or disadvantages of receiving discretionary income in 2010.
- ☐ A careful approach to prepaying discretionary itemized deductions before the end of the year, or postponing discretionary itemized deductions until after the year end, could prove to be beneficial to this taxpayer, since itemized deductions are very close in value to the standard deduction.
- ☐ Schedule C for Joe Trader MTM Comm Loss Ex 10 (1) : The address of the taxpayer's business is the same as the home address, but no expenses for business use of a home were deducted. If the home is used regularly and exclusively for the business, the taxpayer may qualify for the business use of home deduction.
- ☐ The taxpayer has incurred an NOL of \$103,854 in 2009 that can be carried back up to five years depending on the circumstances. For purposes of determining whether to elect to waive the NOL carryback period, carefully examine the taxpayer's marginal tax brackets from the applicable prior years and determine the prospects of future profitability and marginal tax brackets.
- ☐ The costs associated with maintaining a home office can be deducted only if strict IRS guidelines are met. Ensure that the home office is used exclusively for business, that the taxpayer uses the office to conduct administrative or management activities of a trade or business, and that there is no other fixed location of the trade or business where the taxpayer conducts substantial administrative or management activities for the business. Refer to IRS Publication 587 for additional rules related to the home office deduction.

**Tax Tips (continued)**

- ☐ For home sales operations, ensure that storage space is included in the calculation of business square footage. Additional storage space can be underutilized spaces such as attics and basements. The storage space must be used on a regular basis and be an identifiable separate space suitable for storage.

**Compliance Tips**

- ☐ Schedule C for Joe Trader MTM Comm Loss Ex 10 (1) : Ensure that all required information returns such as Form 1099, 1098, 5498, and W-2G have been filed. Penalties for not filing required information returns can be fairly high.
- ☐ Schedule C for Joe Trader MTM Comm Loss Ex 10 (1) : Travel, meals, and entertainment expenses draw close attention from the IRS under examination. Entertainment expenses must be ordinary and necessary, and common practice for the type of industry. In addition to the general record keeping requirements, the following information may be required: dates and duration of business discussions that took place, nature of the business conducted, the business benefit derived or expected to be derived, identification of the person(s) entertained, and whether the site of the meeting was vacation oriented. Ensure that adequate records exist to support the travel, meals, and entertainment expense.