

Client EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

02:59PM

EX7F-CA:

During 2010, 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 2010 and his 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. In order to deduct home-office expenses and Section 179 depreciation expenses, Joe transferred trading gains from Form 4797 to Schedule C to have them result in zero net income or loss. This is because home-office and Section 179 depreciations are only deductible to the extent you have business income. This transfer is discussed in the tax return footnote. Without a transfer, Joe would carry over these expenses to the following tax year, or choose normal depreciation. Trader tax status alone (without MTM) saves Joe a significant amount of taxes, because of the Schedule C deductions.

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 gains first on Form 6781 and then transfers the net Form 6781 amount to Form 4797 Part II - Ordinary gain or loss.

Joe has commodity trading gains, so he pays a higher tax for electing MTM.

A Form 3115 is also required to be filed for commodities traders who elected IRC 475(f)(2) mark-to-market accounting for 2010. 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 change.

Name, Address, and SSN

For the year Jan 1 - Dec 31, 2010, or other tax year beginning , 2010, ending , 20

OMB No. 1545-0074

Your social security number

999-99-9999

See separate instructions.

Joe Trader MTM Comm Gains Ex 7

If a joint return, spouse's first name MI Last name

Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions.

any street

City, town or post office. If you have a foreign address, see instructions.

Los Angeles, CA 90025

Make sure the SSN(s) above and on line 6c are correct.

▲

Checking a box below will not change your tax or refund.

Check here if you, or your spouse if filing jointly, want \$3 to go to this fund?

X

You

Spouse

Filing Status

1

X

Single

2

Married filing jointly (even if only one had income)

3

Married filing separately. Enter spouse's SSN above & full name here

4

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

5

Qualifying widow(er) with dependent child

Check only one box.

Exemptions

6a

X

Yourself. If someone can claim you as a dependent, do not check box 6a

6b

Spouse

c Dependents:

(1) First name

Last name

(2) Dependent's social security number

(3) Dependent's relationship to you

(4) if child under age 17 qualifying for child tax cr (see instrs)

Boxes checked on 6a and 6b

1

No. of children on 6c who:

• lived with you

• did not live with you due to divorce or separation (see instrs)

Dependents on 6c not entered above

Add numbers on lines above

1

If more than four dependents, see instructions and check here

d Total number of exemptions claimed

1

Income

7

Wages, salaries, tips, etc. Attach Form(s) W-2

7

8a

Taxable interest. Attach Schedule B if required

8a

1,762.

b

Tax-exempt interest. Do not include on line 8a

8b

9a

Ordinary dividends. Attach Schedule B if required

9a

897.

b

Qualified dividends

9b

897.

10

Taxable refunds, credits, or offsets of state and local income taxes

10

11

Alimony received

11

12

Business income or (loss). Attach Schedule C or C-EZ

12

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

189,271.

15a

IRA distributions

15a

b

Taxable amount

15b

16a

Pensions and annuities

16a

b

Taxable amount

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

19

20a

Social security benefits

20a

b

Taxable amount

20b

21

Other income

21

22

Combine the amounts in the far right column for lines 7 through 21. This is your total income

22

207,296.

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.

Adjusted Gross Income

23

Educator expenses

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

29

30

Penalty on early withdrawal of savings

30

31a

Alimony paid b Recipient's SSN.

31a

32

IRA deduction

32

33

Student loan interest deduction

33

34

Tuition and fees. 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 adjusted gross income

37

207,296.

BAA For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see separate instructions.

FDIA0112L 12/22/10

Form 1040 (2010)

Tax and Credits

38	Amount from line 37 (adjusted gross income)	38	207,296.
39a	Check if: <input type="checkbox"/> You were born before January 2, 1946, <input type="checkbox"/> Blind. Total boxes checked <input type="checkbox"/> 39a		
	<input type="checkbox"/> Spouse was born before January 2, 1946, <input type="checkbox"/> Blind. 39b <input type="checkbox"/>		
40	Itemized deductions (from Schedule A) or your standard deduction (see instructions)	40	5,700.
41	Subtract line 40 from line 38	41	201,596.
42	Exemptions. Multiply \$3,650 by the number on line 6d	42	3,650.
43	Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-	43	197,946.
44	Tax (see instrs). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972	44	47,511.
45	Alternative minimum tax (see instructions). Attach Form 6251	45	0.
46	Add lines 44 and 45	46	47,511.
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 23	49	
50	Retirement savings contributions credit. Attach Form 8880	50	
51	Child tax credit (see instructions)	51	
52	Residential energy credits. Attach Form 5695	52	
53	Other crs from Form: a <input type="checkbox"/> 3800 b <input type="checkbox"/> 8801 c <input type="checkbox"/>	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	47,511.
56	Self-employment tax. Attach Schedule SE	56	
57	Unreported social security and Medicare tax from Form: a <input type="checkbox"/> 4137 b <input type="checkbox"/> 8919	57	
58	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required	58	
59a	<input type="checkbox"/> Form(s) W-2, box 9 b <input type="checkbox"/> Schedule H c <input type="checkbox"/> Form 5405, line 16	59	
60	Add lines 55-59. This is your total tax	60	47,511.

Other Taxes**Payments**

If you have a qualifying child, attach Schedule EIC.

61	Federal income tax withheld from Forms W-2 and 1099	61	
62	2010 estimated tax payments and amount applied from 2009 return	62	
63	Making work pay credit. Attach Schedule M	63	
64a	Earned income credit (EIC) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	64a	
	b Nontaxable combat pay election <input type="checkbox"/> 64b <input type="checkbox"/>		
65	Additional child tax credit. Attach Form 8812	65	
66	American opportunity credit from Form 8863, line 14	66	
67	First-time homebuyer credit from Form 5405, line 10	67	
68	Amount paid with request for extension to file	68	
69	Excess social security and tier 1 RRTA tax withheld	69	
70	Credit for federal tax on fuels. Attach Form 4136	70	
71	Credits from Form: a <input type="checkbox"/> 2439 b <input type="checkbox"/> 8839 c <input type="checkbox"/> 8801 d <input type="checkbox"/> 8885	71	
72	Add lns 61-63, 64a, & 65-71. These are your total pmts	72	0.

Refund

Direct deposit? See instructions.

73	If line 72 is more than line 60, subtract line 60 from line 72. This is the amount you overpaid	73	
74a	Amount of line 73 you want refunded to you . If Form 8888 is attached, check here <input type="checkbox"/>	74a	
	b Routing number <input type="text"/> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings		
	d Account number <input type="text"/>		
75	Amount of line 73 you want applied to your 2011 estimated tax	75	

Amount You Owe

76	Amount you owe. Subtract line 72 from line 60. For details on how to pay see instructions	76	47,511.
77	Estimated tax penalty (see instructions)	77	

Third Party Designee

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

Designee's name z WebGuideExamples	Phone no. 877-662-2014	Personal identification number (PIN) <input type="text"/>
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Sign Here

Joint return? See instructions.

Keep a copy for your records.

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

Your signature <input type="text"/>	Date <input type="text"/>	Your occupation Trader	Daytime phone number <input type="text"/>
Spouse's signature. If a joint return, both must sign. <input type="text"/>	Date <input type="text"/>	Spouse's occupation <input type="text"/>	<input type="text"/>

Paid Preparer's Use Only

Print/Type preparer's name z WebGuideExamples	Preparer's signature z WebGuideExamples	Date <input type="text"/>	Check <input type="checkbox"/> if self-employed	PTIN <input type="text"/>
Firm's name Green & Company CPAs, LLC	Firm's address 54 Danbury Rd., #351 Ridgefield, CT 06877	Firm's EIN 20-0751653	Phone no. 877-662-2014	

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

2010

Attachment
Sequence No. **08**

Name(s) shown on return

Joe Trader MTM Comm Gains Ex 7

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

1,762.

1

- 2** Add the amounts on line 1

1,762.

- 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

1,762.

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 2010, 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

X

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

- 8** During 2010, 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

BAA For Paperwork Reduction Act Notice, see your tax return instructions.

FDIA0401L 10/15/10

Schedule **B** (Form 1040) 2010

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

2010

Attachment
Sequence No. **09**

Name of proprietor

Joe Trader MTM Comm Gains Ex 7

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 2010? If 'No,' see instructions for limit on losses .. ☒ Yes ☐ No

H If you started or acquired this business during 2010, check here ☒

Part I Income

1	Gross receipts or sales. Caution. See 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 <input type="checkbox"/>	1	
2	Returns and allowances	2	
3	Subtract line 2 from line 1	3	
4	Cost of goods sold (from line 42 on page 2)	4	
5	Gross profit. Subtract line 4 from line 3	5	
6	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions) See Statement 1	6	46,147.
7	Gross income. Add lines 5 and 6	7	46,147.

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

8	Advertising	8		18	Office expense	18	
9	Car and truck expenses (see instructions)	9		19	Pension and profit-sharing plans	19	
10	Commissions and fees	10		20	Rent or lease (see instructions):		
11	Contract labor (see instructions)	11		a	Vehicles, machinery, and equipment	20a	
12	Depletion	12		b	Other business property	20b	
13	Depreciation and section 179 expense deduction (not included in Part III) (see instructions)	13	7,865.	21	Repairs and maintenance	21	
14	Employee benefit programs (other than on line 19)	14		22	Supplies (not included in Part III)	22	953.
15	Insurance (other than health)	15		23	Taxes and licenses	23	
16	Interest:			24	Travel, meals, and entertainment:		
a	Mortgage (paid to banks, etc)	16a		a	Travel	24a	1,855.
b	Other	16b	16,299.	b	Deductible meals and entertainment (see instructions)	24b	1,327.
17	Legal & professional services	17		25	Utilities	25	
				26	Wages (less employment credits)	26	
				27	Other expenses (from line 48 on page 2)	27	10,612.
28	Total expenses before expenses for business use of home. Add lines 8 through 27	28					38,911.
29	Tentative profit or (loss). Subtract line 28 from line 7	29					7,236.
30	Expenses for business use of your home. Attach Form 8829	30					7,236.
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.					31	0.

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.

32a ☐ All investment is at risk.

32b ☐ Some investment is not at risk.

BAA For Paperwork Reduction Act Notice, see your tax return instructions.

Schedule **C** (Form 1040) 2010

Part III Cost of Goods Sold (see instructions)

33 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)	
34 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
35 Inventory at beginning of year. If different from last year's closing inventory, attach explanation	35
36 Purchases less cost of items withdrawn for personal use	36
37 Cost of labor. Do not include any amounts paid to yourself	37
38 Materials and supplies	38
39 Other costs	39
40 Add lines 35 through 39	40
41 Inventory at end of year	41
42 Cost of goods sold. Subtract line 41 from line 40. Enter the result here and on page 1, line 4	42

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 2010, 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 2	
48 Total other expenses. Enter here and on page 1, line 27	48 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

2010

Attachment
Sequence No. **12**

Your social security number

Joe Trader MTM Comm Gains Ex 7

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 Total short-term sales price amounts. 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 Capital Loss Carryover Worksheet in the instructions	6				
7 Net short-term capital gain or (loss). 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	875,105.	859,739.	15,366.
9 Enter your long-term totals, if any, from Schedule D-1, line 9 . . .	9				
10 Total long-term sales price amounts. 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 Capital Loss Carryover Worksheet in the instructions	14				
15 Net long-term capital gain or (loss). 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 your tax return instructions.

Schedule **D** (Form 1040) 2010

Part III Summary

16 Combine lines 7 and 15 and enter the result.	16	15,366.
<ul style="list-style-type: none"> • If line 16 is a gain, enter the amount from line 16 on Form 1040, line 13, or Form 1040NR, line 14. Then go to line 17 below. • If line 16 is a loss, skip lines 17 through 20 below. Then go to line 21. Also be sure to complete line 22. • If line 16 is zero, skip lines 17 through 21 below and enter -0- on Form 1040, line 13, or Form 1040NR, line 14. Then go to line 22. 		
17 Are lines 15 and 16 both gains?		
<input checked="" type="checkbox"/> Yes. Go to line 18.		
<input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.		
18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet in the instructions.	18	0.
19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet in the instructions.	19	
20 Are lines 18 and 19 both zero or blank?		
<input checked="" type="checkbox"/> Yes. Complete Form 1040 through line 43, or Form 1040NR through line 41. Then complete the Qualified Dividends and Capital Gain Tax Worksheet in the Instructions for Form 1040, line 44 (or in the Instructions for Form 1040NR, line 42). Do not complete lines 21 and 22 below.		
<input type="checkbox"/> No. Complete Form 1040 through line 43, or Form 1040NR through line 41. Then complete the Schedule D Tax Worksheet in the instructions. Do not 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 smaller of:		
<ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) 	21	
Note. 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"/> Yes. Complete Form 1040 through line 43, or Form 1040NR through line 41. Then complete the Qualified Dividends and Capital Gain Tax Worksheet in the Instructions for Form 1040, line 44 (or in the Instructions for Form 1040NR, line 42).		
<input type="checkbox"/> No. Complete the rest of Form 1040 or Form 1040NR.		

Schedule D (Form 1040) 2010

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

2010Attachment
Sequence No. **27**

Name(s) shown on return

Joe Trader MTM Comm Gains Ex 7

Identifying number

999-99-9999

1 Enter the gross proceeds from sales or exchanges reported to you for 2010 on Form(s) 1099-B or 1099-S (or substitute statement) that you are including on line 2, 10, or 20 (see instructions) 1 235,418.

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 42						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
Partnerships (except electing large partnerships) and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below.							
Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you did not have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.							
8	Nonrecaptured net section 1231 losses from prior years (see instructions)						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 part trading gain to Sch C-Note (Trader Transaction)					
Various	Various				-46,147.
Transfer gains from Form 6781-Note (Trader Transaction)					
Various	Various	235,418.			235,418.

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 34 and 41a	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	17 189,271.
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 38, 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		189,271.

BAA For Paperwork Reduction Act Notice, see separate instructions.

Form **4797** (2010)

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

2010Attachment
Sequence No. **32**

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

Your social security number

Joe Trader MTM Comm Gains Ex 7

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 and go to line 2. Otherwise, enter the amount from Form 1040, line 38 and go to line 6. (If less than zero, enter as a negative amount.)	1	207,296.
2	Medical and dental. Enter the smaller 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 filing Schedule L (Form 1040A or 1040), enter as a negative amount the sum of lines 6 and 17 from that schedule.	6	
7	Tax refund from Form 1040, line 10 or line 21	7	
8	Investment interest expense (difference between regular tax and AMT)	8	
9	Depletion (difference between regular tax and AMT)	9	
10	Net operating loss deduction from Form 1040, line 21. Enter as a positive amount	10	
11	Alternative tax net operating loss deduction	11	
12	Interest from specified private activity bonds exempt from the regular tax	12	
13	Qualified small business stock (7% of gain excluded under section 1202)	13	
14	Exercise of incentive stock options (excess of AMT income over regular tax income)	14	
15	Estates and trusts (amount from Schedule K-1 (Form 1041), box 12, code A)	15	
16	Electing large partnerships (amount from Schedule K-1 (Form 1065-B), box 6)	16	
17	Disposition of property (difference between AMT and regular tax gain or loss)	17	
18	Depreciation on assets placed in service after 1986 (difference between regular tax and AMT)	18	
19	Passive activities (difference between AMT and regular tax income or loss)	19	
20	Loss limitations (difference between AMT and regular tax income or loss)	20	
21	Circulation costs (difference between regular tax and AMT)	21	
22	Long-term contracts (difference between AMT and regular tax income)	22	
23	Mining costs (difference between regular tax and AMT)	23	
24	Research and experimental costs (difference between regular tax and AMT)	24	
25	Income from certain installment sales before January 1, 1987	25	
26	Intangible drilling costs preference	26	
27	Other adjustments, including income-based related adjustments	27	
28	Alternative minimum taxable income. Combine lines 1 through 27. (If married filing separately and line 28 is more than \$219,900, see instructions.)	28	207,296.

Part II Alternative Minimum Tax (AMT)

29	Exemption. (If you were under age 24 at the end of 2010, see instructions.)														
	<table border="0"> <tr> <td>IF your filing status is . . .</td> <td>AND line 28 is not over . . .</td> <td>THEN enter on line 29 . . .</td> </tr> <tr> <td>Single or head of household</td> <td>\$112,500</td> <td>\$47,450</td> </tr> <tr> <td>Married filing jointly or qualifying widow(er)</td> <td>150,000</td> <td>72,450</td> </tr> <tr> <td>Married filing separately</td> <td>75,000</td> <td>36,225</td> </tr> </table>	IF your filing status is . . .	AND line 28 is not over . . .	THEN enter on line 29 . . .	Single or head of household	\$112,500	\$47,450	Married filing jointly or qualifying widow(er)	150,000	72,450	Married filing separately	75,000	36,225	29	23,751.
IF your filing status is . . .	AND line 28 is not over . . .	THEN enter on line 29 . . .													
Single or head of household	\$112,500	\$47,450													
Married filing jointly or qualifying widow(er)	150,000	72,450													
Married filing separately	75,000	36,225													
	If line 28 is over the amount shown above for your filing status, see instructions.														
30	Subtract line 29 from line 28. If more than zero, go to line 31. If zero or less, enter -0- here and on lines 33 and 35 and skip the rest of Part II	30	183,545.												
31	<ul style="list-style-type: none"> 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 54 here. All others: If line 30 is \$175,000 or less (\$87,500 or less if married filing separately), multiply line 30 by 26% (.26). Otherwise, multiply line 30 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately) from the result. 	31	45,932.												
32	Alternative minimum tax foreign tax credit (see instructions)	32													
33	Tentative minimum tax. Subtract line 32 from line 31.	33	45,932.												
34	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).	34	47,511.												
35	AMT. Subtract line 34 from line 33. If zero or less, enter -0-. Enter here and on Form 1040, line 45	35	0.												

BAA For Paperwork Reduction Act Notice, see your tax return instructions.

FDIA5312L 12/21/10

Form **6251** (2010)

Part III Tax Computation Using Maximum Capital Gains Rates

36	Enter the amount from Form 6251, line 30. If you are filing Form 2555 or 2555-EZ, enter the amount from line 3 of the worksheet in the instructions	36	183,545.
37	Enter the amount from line 6 of the Qualified Dividends and Capital Gain Tax Worksheet in the instructions for Form 1040, line 44, or the amount from line 13 of the Schedule D Tax Worksheet in the instructions for Schedule D (Form 1040), whichever applies (as refigured for the AMT, if necessary) (see instructions). If you are filing Form 2555 or 2555-EZ, see the instructions for the amount to enter	37	16,263.
38	Enter the amount from Schedule D (Form 1040), line 19 (as refigured for the AMT, if necessary) (see instructions). If you are filing Form 2555 or 2555-EZ, see the instructions for the amount to enter	38	0.
39	If you did not complete a Schedule D Tax Worksheet for the regular tax or the AMT, enter the amount from line 37. Otherwise, add lines 37 and 38, and enter the smaller of that result or the amount from line 10 of the Schedule D Tax Worksheet (as refigured for the AMT, if necessary). If you are filing Form 2555 or 2555-EZ, see the instructions for the amount to enter	39	16,263.
40	Enter the smaller of line 36 or line 39	40	16,263.
41	Subtract line 40 from line 36	41	167,282.
42	If line 41 is \$175,000 or less (\$87,500 or less if married filing separately), multiply line 41 by 26% (.26). Otherwise, multiply line 41 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately) from the result	42	43,493.
43	Enter: <ul style="list-style-type: none"> • \$68,000 if married filing jointly or qualifying widow(er), • \$34,000 if single or married filing separately, or • \$45,550 if head of household. 	43	34,000.
44	Enter the amount from line 7 of the Qualified Dividends and Capital Gain Tax Worksheet in the instructions for Form 1040, line 44, or the amount from line 14 of the Schedule D Tax Worksheet in the instructions for Schedule D (Form 1040), whichever applies (as figured for the regular tax). If you did not complete either worksheet for the regular tax, enter -0-	44	181,683.
45	Subtract line 44 from line 43. If zero or less, enter -0-	45	0.
46	Enter the smaller of line 36 or line 37	46	16,263.
47	Enter the smaller of line 45 or line 46	47	
48	Subtract line 47 from line 46	48	16,263.
49	Multiply line 48 by 15% (.15)	49	2,439.
If line 38 is zero or blank, skip lines 50 and 51 and go to line 52. Otherwise, go to line 50.			
50	Subtract line 46 from line 40	50	
51	Multiply line 50 by 25% (.25)	51	
52	Add lines 42, 49, and 51	52	45,932.
53	If line 36 is \$175,000 or less (\$87,500 or less if married filing separately), multiply line 36 by 26% (.26). Otherwise, multiply line 36 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately) from the result	53	47,893.
54	Enter the smaller of line 52 or line 53 here and on line 31. If you are filing Form 2555 or 2555-EZ, do not enter this amount on line 31. Instead, enter it on line 4 of the worksheet in the instructions	54	45,932.

Form 6251 (2010)

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

2010Attachment
Sequence No. **67**

Name(s) shown on return

Joe Trader MTM Comm Gains Ex 7

Identifying number

999-99-9999

Business or activity to which this form relates

Schedule C - Joe Trader MTM Comm Gains Ex 7

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 instructions)	1	500,000.
2	Total cost of section 179 property placed in service (see instructions)	2	7,865.
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	2,000,000.
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	0.
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	500,000.
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
See Statement 3			7,865.
7	Listed property. Enter the amount from line 29	7	0.
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	7,865.
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	7,865.
10	Carryover of disallowed deduction from line 13 of your 2009 Form 4562	10	0.
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instrs) ..	11	197,136.
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	7,865.
13	Carryover of disallowed deduction to 2011. Add lines 9 and 10, less line 12	13	0.

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	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

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 2010	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 2010 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						
c 7-year property						
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 2010 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	7,865.
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 10/29/10

Form **4562** (2010)

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

2010Attachment
Sequence No. **82**

Name(s) shown on tax return

Joe Trader MTM Comm Gains Ex 7

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 futures trading a/c		235,418.
	Transfer Form 6781 to Form 4797 MTM-Note	235,418.	
2	Add the amounts on line 1 in columns (b) and (c).....	235,418.	235,418.
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.....		
Note: 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	Short-term capital gain or (loss). Multiply line 7 by 40% (.40). Enter here and include on the appropriate line of Schedule D (see instructions).....		
9	Long-term capital gain or (loss). 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				

BAA For Paperwork Reduction Act Notice, see separate instructions.

FDIZ1601L 06/02/10

Form **6781** (2010)

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

2010Attachment
Sequence No. **176**

Name(s) of proprietor(s)

Joe Trader MTM Comm Gains Ex 7

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 %
For daycare facilities not used exclusively for business go to line 4. All others go to line 7.			
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, plus 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	7,236.
See instrs for columns (a) and (b) before completing lines 9-21.			
	(a) Direct expenses	(b) Indirect expenses	
9	Casualty losses (see instructions)	9	
10	Deductible mortgage interest (see instructions)	10	
11	Real estate taxes (see instructions)	11	
12	Add lines 9, 10, and 11	12	
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	7,236.
16	Excess mortgage interest (see instructions)	16	
17	Insurance	17	545.
18	Rent	18	30,000.
19	Repairs and maintenance	19	805.
20	Utilities	20	3,688.
21	Other expenses (see instrs)	21	5,294.
22	Add lines 16 through 21	22	40,332.
23	Multiply line 22, column (b) by line 7	23	7,236.
24	Carryover of operating expenses from 2009 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 smaller of line 15 or line 25	26	7,236.
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 2009 Form 8829, line 43	30	
31	Add lines 28 through 30	31	
32	Allowable excess casualty losses and depreciation. Enter the smaller of line 27 or line 31	32	
33	Add lines 14, 26, and 32	33	7,236.
34	Casualty loss portion, if any, from lines 14 and 32. Carry amount to Form 4684 (see instructions)	34	
35	Allowable expenses for business use of your home. 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	7,236.

Part III Depreciation of Your Home

36	Enter the smaller 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 2011

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

2010

Federal Statements

Page 1

Client EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

02:59PM

Statement 1 - Trader in Commodities - Mark-to-Market accounting
Schedule C, Line 6
Other Income

Tsfr part trading gains Form 4797 -Note.....	\$	46,147.
Total	\$	<u>46,147.</u>

Statement 2 - 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.
Trading chat rooms.....		1,205.
Trading communications.....		644.
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 3
Form 4562, Part I
Election To Expense Certain Tangible Property (Section 179)

<u>Description of Property</u>	<u>Cost</u>	<u>Elected Cost</u>
5-Year Computers for trading.....	3,466.	\$ 3,466.
7-Year Furniture/fixtures.....	2,946.	2,946.
Software for trading.....	1,453.	1,453.
Total		\$ <u>7,865.</u>

Statement 4
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>

Client EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

02:59PM

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 2009 tax return or extension filed by April 15, 2010.

"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, 2010 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 2010 and he duly elected mark-to-market accounting for commodities, on time for tax year 2010 (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 2010. 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 EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

02:59PM

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 2010).

..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 EX7F-CA

Joe Trader MTM Comm Gains Ex 7

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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 2010, you must file a statement by April 15, 2010. This statement should be attached to either your 2009 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 2010; by attaching the election to his 2009 tax return or extension filed by April 15, 2010. 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 2009 income tax return, you make the election by placing the above statement in your books and records no later than March 15, 2010. Attach a copy of the statement to your 2010 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 2011-14. Revenue Procedure 2011-14 requires you to file Form 3115, Application for Change in Accounting Method. Follow its instructions. Label the Form 3115 as filed under "Filed under Section 23 of the APPENDIX of Rev. Proc. 2011-14". (Taxpayer is filing his Form 3115 together with the 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 2010 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 2011-14, 2011-4 IRB.

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

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Section 481(a) Adjustment - Calculation.

On January 1, 2010, Taxpayer started the year with "Trading Positions" (or "Investment Positions which he converted to "Trading Positions").

Market value on January 1, 2010 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, 2010. There is no Section 481 adjustment to report for tax year 2010.

=====

SPECIAL NOTES

If Taxpayer has net trading gains, sufficient trading gains are transferred from Form 4797 to Schedule C to cover Taxpayer's related trading business expenses. This is done since Schedule C business expenses relate to taxpayer's trading gains. There is no change to the tax liability as a result of this transfer.

=====

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**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 | | 197,946. |
| 2. Enter the amount from Form 1040, line 9b | 897. | |
| 3. Are you filing Schedule D? | | |
| [X] 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. | | 181,683. |
| 8. Enter: | | |
| \$34,000 if single or married filing separately, | | |
| \$68,000 if married filing jointly or qualifying widow(er), \$45,550 if head of household. | | 34,000. |
| 9. Enter the smaller of line 1 or line 8 | | 34,000. |
| 10. Enter the smaller of line 7 or line 9 | | 34,000. |
| 11. Subtract line 10 from line 9. This amount is taxed at 0% | | 0. |
| 12. Enter the smaller of line 1 or line 6 | | 16,263. |
| 13. Enter the amount from line 11 | | 0. |
| 14. Subtract line 13 from line 12 | | 16,263. |
| 15. Multiply line 14 by 15% (.15) | | 2,439. |
| 16. Figure the tax on the amount on line 7. (Use the Tax Table or Tax Computation Worksheet) | | 45,072. |
| 17. Add lines 15 and 16 | | 47,511. |
| 18. Figure the tax on the amount on line 1. (Use the Tax Table or Tax Computation Worksheet) | | 50,439. |
| 19. Tax on all taxable income (including capital gain distributions). Enter the smaller of line 17 or line 18 here and on Form 1040, line 44 | | <u>47,511.</u> |

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**Taxable Business Income for Limitation of
Section 179 Expense Deduction (Form 4562, Line 11)**

Wages, salaries, tips, etc.	0.
Business income or loss	7,865.
Farm income or loss	0.
Rental real estate income or loss	0.
Nonpassive partnerships, S corps, estates, trusts	0.
Income or loss for real estate professionals	0.
Gains or losses on sales of business property	189,271.
Total Taxable Business Income	<u>197,136.</u>

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	1,762.
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>2,659.</u>

Exemption Worksheet (Form 6251, Line 29)

- | | | |
|--|----------|-----------|
| 1. Enter \$47,450 (\$72,450 if married filing jointly or qualifying widow(er), \$36,225 if married filing separately.) | | 47,450. |
| 2. Enter your alternative minimum taxable income (AMTI) from Form 6251, line 28. | 207,296. | |
| 3. Enter \$112,500 (\$150,000 if married filing jointly or qualifying widow(er), \$75,000 if married filing separately.) | 112,500. | |
| 4. Subtract line 3 from line 2. | 94,796. | |
| 5. Multiply line 4 by 25% (.25). | | 23,699. |
| 6. Subtract line 5 from line 1. If this form is for a child under age 18, or a full-time student under age 24, go to line 7. Otherwise enter this amount on Form 6251, line 29 and go to Form 6251, line 30. | | 23,751. |
| 7. Child's minimum exemption amount. | | 0. |
| 8. Enter the child's earned income, if any. | | 0. |
| 9. Add lines 7 and 8. | | 0. |
| 10. Enter the smaller of line 6 or line 9 here and on Form 6251, line 29. | | <u>0.</u> |

Demo

12/31/10

2010 Federal Summary Depreciation Schedule

Page 1

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Joe Trader MTM Comm Gains Ex 7

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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 Gains Ex 7										
Furniture and Fixtures										
2	Furniture/fixtures	Various		2,946		2,946		200DB HY	7	0
	Total Furniture and Fixtures			2,946		2,946	0			0
Machinery and Equipment										
1	Computers for trading	Various		3,466		3,466		200DB HY	5	0
3	Software for trading	Various		1,453		1,453		S/L	3	0
	Total Machinery and Equipment			4,919		4,919	0			0
	Total Depreciation			7,865		7,865	0			0
	Grand Total Depreciation			7,865		7,865	0			0

Demo

Voucher at bottom of page.

Mail 540-V payments with computer-generated Form 540 to:

Franchise Tax Board
P.O. Box 942867
Sacramento, CA 94267-0009

IF AMOUNT OF PAYMENT IS ZERO, DO NOT MAIL THIS VOUCHER.

WHERE TO FILE: Using black or blue ink, make check or money order payable to the 'Franchise Tax Board.' Write the taxpayer's social security number (SSN) or individual taxpayer identification number (ITIN) and '2010 Form 540-V' on the check or money order. Detach the voucher below. Enclose, but **do not** staple, your payment and Form 540-V with your computer-generated Form 540 return and mail to:

**FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0009**

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

WHEN TO FILE: Calendar Year — File and Pay by April 15, 2011*.

When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day. *Due to the federal Emancipation Day holiday on April 15, 2011, tax returns and payments received on April 18, 2011 will be considered timely.

PAY ONLINE: Use Web Pay and enjoy the ease of our free online payment service. Go to ftb.ca.gov and search for **payment options**. **Do not mail this voucher if you use Web Pay.**

DETACH HERE IF NO PAYMENT IS DUE, DO NOT MAIL THIS VOUCHER DETACH HERE

TAXABLE YEAR **Payment Voucher for**
2010 540 Returns

CALIFORNIA FORM
540-V

999-99-9999 MTMC
JOE T MTMCOMMGAINSEX

10

ANY ST
LOS ANGELES CA 90025

Amount of payment 17156.

**California Resident
Income Tax Return 2010**

FORM

540 C1 Side 1

APE

ATTACH FEDERAL RETURN

P
AC
A
R
RP999-99-9999 MTMC 10 PBA 523130
JOE T MTMCOMMGAINSEXANY ST
LOS ANGELES CA 90025 01-01-1960

01	1	72	0	408	0	APE	0
06	0	73	0	410	0	FS	0
09	0	74	0	413	0	3800	0
10	0	75	0	415	0	3803	0
12	0	76	0	416	0	SCHG1	0
14	0	77	0	417	0	5870A	0
16	0	78	0	418	0	5805 5805F	0
17	207296	91	0	110	0	DESIGNEE	1
18	3670	92	0	111	17156	TPID	
31	17156	93	0	112	0	FN 200751653	
34	0	94	17156	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	17156						
71	0						

Demo

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 _____

Your email address (optional). Enter only one. _____

Paid preparer's signature (declaration of preparer is based on all information of which preparer has any knowledge) _____ ● Paid Preparer's PTIN/SSN

Z WEBGUIDEEXAMPLES _____ ● FEIN

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

GREEN & 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

Z WEBGUIDEEXAMPLES _____ 877-662-2014

Print Third Party Designee's Name _____ Telephone Number

It is unlawful to forge a spouse's/RDP's signature.

Joint return? (See instructions.)

Filing Status	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
Exemptions	7	Personal: 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 \$99 = \$ 99.
	8	Blind: If you (or your spouse/RDP) are visually impaired, enter 1; if both are visually impaired, enter 2.	8 <input type="text"/> x \$99 = \$
	9	Senior: 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 \$99 = \$
	10	Dependents: Enter name and relationship. Do not include yourself or your spouse/RDP.	
Total dependent exemptions			10 <input type="text"/> x \$99 = \$
	11	Exemption amount: Add line 7 through line 10. Transfer this amount to line 32	11 \$ 99.
Taxable Income	12	State wages from your Form(s) W-2, box 16.	12 207,296.
	13	Enter federal adjusted gross income from Form 1040, line 37; Form 1040A, line 21; Form 1040EZ, line 4.	13 207,296.
	14	California adjustments — subtractions. Enter the amount from Schedule CA (540), line 37, column B.	14 207,296.
	15	Subtract line 14 from line 13. If less than zero, enter the result in parentheses (see instructions).	15 207,296.
	16	California adjustments — additions. Enter the amount from Schedule CA (540), line 37, column C.	16 207,296.
	17	California adjusted gross income. Combine line 15 and line 16.	17 3,670.
	18	Enter the larger of your CA standard deduction OR your CA itemized deductions	18 203,626.
	19	Subtract line 18 from line 17. This is your taxable income. If less than zero, enter -0-	19 17,156.
Tax	31	Tax. Check box if from: <input type="checkbox"/> Tax Table <input checked="" 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 \$162,186 (see instrs)	32 17,156.
	33	Subtract line 32 from line 31. If less than zero, enter -0-	33 17,156.
	34	Tax. (see instructions) Check box if from: <input type="checkbox"/> Schedule G-1 <input type="checkbox"/> Form FTB 5870A.	34 17,156.
	35	Add line 33 and line 34.	35 17,156.
Special Credits	41	New jobs credit, amount generated (see instructions).	41 17,156.
	42	New jobs credit, amount claimed (see instructions).	42
	43	Credit <input type="text"/> Code <input type="text"/> amount.	43
	44	Credit <input type="text"/> Code <input type="text"/> 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 17,156.
Other Taxes	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 17,156.
Payments	71	California income tax withheld (see instructions).	71
	72	2010 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.
Child and Dependent Care Expenses Credit (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
Overpaid Tax/ Tax Due	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 2011 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 17,156.
Use Tax	95	Use Tax. This is not a total line (see instructions).	95

		Code	Amount
Contributions	California Seniors Special Fund (see instructions).....	● 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 Sea Otter Fund.....	● 410	
	California Cancer Research Fund.....	● 413	
	Arts Council Fund.....	● 415	
	California Police Activities League (CALPAL) Fund.....	● 416	
	California Veterans Homes Fund.....	● 417	
	Safely Surrendered Baby Fund.....	● 418	
	110	Add code 400 through code 418. This is your total contribution.....	● 110

Amount You Owe	111	AMOUNT YOU OWE. Add line 94, line 95, and line 110 (see instructions). Mail to: FRANCHISE TAX BOARD, PO BOX 942867, SACRAMENTO CA 94267-0009 Pay online — Go to ftb.ca.gov and search for web pay	● 111	17,156.
	112	Interest, late return penalties, and late payment penalties.....	● 112	
Interest and Penalties	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 do not staple, any payment.....	● 114	17,156.

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

2010

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 GAINS EX 7

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	3,670.
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 not used to buy, build, or improve your home. See instructions	4	
5	Miscellaneous itemized deductions. See instructions.	5	
6	Refund of personal property taxes and real property taxes. See instructions	6	
Do not 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	3,670.
15	Enter taxable income from Form 540, line 19. See instructions.	15	203,626.
16	Net operating loss (NOL) deductions from Schedule CA (540), line 21d and 21e, column B. Enter as a positive amount.	16	
17	AMTI exclusion. See instructions.	17	-189,271.
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.		\$162,186
	Married/RDP filing jointly or qualifying widow(er).		\$324,376
	Head of household.		\$243,283
19	Combine line 14 through line 18.	19	18,025.
20	Alternative minimum tax NOL deduction. See instructions.	20	
21	Alternative Minimum Taxable Income. Subtract line 20 from line 19 (if married/RDP filing separately and line 21 is more than \$308,159, see instructions).	21	18,025.

Part II Alternative Minimum Tax (AMT)

22	Exemption Amount. (If this schedule is for a certain child under age 24, see instructions.)		
	If your filing status is:	And line 21 is not over:	Enter on line 22:
	Single or head of household	\$ 223,669	\$ 59,646
	Married/RDP filing jointly or qualifying widow(er)	298,224	79,526
	Married/RDP filing separately	149,111	39,762
	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	17,156.
26	Alternative Minimum Tax. 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 2011, enter amount from line 26 on the 2011 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.

1 Enter the amount from Form 540, line 35. **1** 17,156.

2 Enter the tentative minimum tax from Side 1, Part II, line 24 **2**

	(a) Credit amount	(b) Credit used this year	(c) Tax balance that may be offset by credits	(d) Credit carryover
Section A – Credits that reduce excess tax.				
3 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. 3			17,156.	
A1 Credits that reduce excess tax and have no carryover provisions.				
4 Code: 162 Prison inmate labor credit (FTB 3507) 4				
5 Code: 169 Enterprise zone employee credit (FTB 3553) 5				
6 Code: _____ New Home Credit or First Time Buyer Credit 6				
A2 Credits that reduce excess tax and have carryover provisions. See instructions.				
7 Code: _____ Credit Name: 7				
8 Code: _____ Credit Name: 8				
9 Code: _____ Credit Name: 9				
10 Code: _____ Credit Name: 10				
11 Code: 188 Credit for prior year alternative minimum tax. 11				
Section B – Credits that may reduce tax below tentative minimum tax.				
12 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). 12			17,156.	
B1 Credits that reduce net tax and have no carryover provisions.				
13 Code: 170 Credit for joint custody head of household. 13				
14 Code: 173 Credit for dependent parent. 14				
15 Code: 163 Credit for senior head of household. 15				
16 Nonrefundable renter's credit. 16				
B2 Credits that reduce net tax and have carryover provisions. See instructions.				
17 Code: _____ Credit Name: 17				
18 Code: _____ Credit Name: 18				
19 Code: _____ Credit Name: 19				
20 Code: _____ Credit Name: 20				
B3 Other state tax credit.				
21 Code: 187 Other state tax credit. 21				
Section C – Credits that may reduce alternative minimum tax.				
22 Enter your alternative minimum tax from Side 1, Part II, line 26. 22				
23 Code: 180 Solar energy credit carryover from Section B2, column (d). 23				
24 Code: 181 Commercial solar energy credit carryover from Section B2, column (d). 24				
25 Adjusted AMT. Enter the balance from line 24, column (c) here and on Form 540, line 61. 25				

2010**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 GAINS EX 7

999-99-9999

1	Investment interest expense paid or accrued in 2010. See instructions	1	<u>482.</u>
2	Disallowed investment interest expense from 2009 form FTB 3526, line 7. If zero or less, enter -0-.....	2	<u>0.</u>
3	Total investment interest expense. Add line 1 and line 2	3	<u>482.</u>
4a	Gross income from property held for investment (excluding any net gain from the disposition of property held for investment). See instructions.....	4a	<u>2,659.</u>
4b	Net gain from the disposition of property held for investment. See instructions..	4b	<u>15,366.</u>
4c	Net capital gain from the disposition of property held for investment. See instructions.....	4c	<u>15,366.</u>
4d	Subtract line 4c from line 4b. If zero or less, enter -0-.....	4d	<u>0.</u>
4e	Enter all or part of the amount on line 4c that you elect to include in investment income. Do not include more than the amount on line 4b. See instructions.....	4e	<u>15,366.</u>
4f	Investment income. Add line 4a, line 4d, and line 4e.....	4f	<u>18,025.</u>
5	Investment expenses. See instructions.....	5	<u></u>
6	Net investment income. Subtract line 5 from line 4f.....	6	<u>18,025.</u>
7	Disallowed investment interest expense to be carried forward to 2011. Subtract line 6 from line 3. If zero or less, enter -0-.....	7	<u>0.</u>
8	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.....	8	<u>482.</u>
9	Enter the amount from federal Form 4952, line 8.....	9	<u>482.</u>
10	California investment interest expense deduction adjustment. Enter the difference between line 8 and line 9. See instructions.....	10	<u></u>

Demo

2010

Federal Income Tax Summary

Page 1

Client EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

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	2010	2009	Diff
INCOME			
Interest income.....	1,762	1,762	0
Dividend income.....	897	897	0
Refunds of state and local taxes.....	0	281	-281
Capital gain or loss.....	15,366	15,366	0
Form 4797 gains or losses.....	189,271	189,271	0
Total income.....	207,296	207,577	-281
ADJUSTMENTS TO INCOME			
Total adjustments.....	0	0	0
Adjusted gross income.....	207,296	207,577	-281
ITEMIZED DEDUCTIONS			
Taxes.....	1,921	4,000	-2,079
Interest.....	482	482	0
Contributions.....	985	985	0
Overall itemized deductions limitation...	0	-408	408
Total itemized deductions.....	3,388	5,059	-1,671
TAX COMPUTATION			
Standard deduction.....	5,700	5,700	0
Larger of itemized or standard deduction	5,700	5,700	0
Income prior to exemption deduction.....	201,596	201,877	-281
Exemption deduction.....	3,650	3,236	414
Taxable income.....	197,946	198,641	-695
Tax before credits.....	47,511	47,766	-255
CREDITS			
Total credits.....	0	0	0
Tax after credits.....	47,511	47,766	-255
OTHER TAXES			
Total tax.....	47,511	47,766	-255
PAYMENTS			
Total payments.....	0	0	0
REFUND OR AMOUNT DUE			
Amount you owe.....	47,511	47,766	-255
TAX RATES			
Marginal tax rate.....	33.0%	33.0%	0.0%
Effective tax rate.....	24.0%	24.0%	0.0%

2010

California Income Tax Summary

Page 1

Client EX7F-CA

Joe Trader MTM Comm Gains Ex 7

999-99-9999

2/16/11

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	2010	2009	Diff
FEDERAL ADJUSTED GROSS INCOME			
Federal adjusted gross income.....	207,296	207,577	-281
CALIFORNIA SUBTRACTIONS			
State tax refund.....	0	281	-281
Total subtractions from federal AGI.....	0	281	-281
ADJUSTED GROSS INCOME			
Adjusted gross income.....	207,296	207,296	0
ITEMIZED DEDUCTIONS			
Federal itemized deductions.....	3,388	5,467	-2,079
Less state, local and foreign taxes.....	1,921	4,000	-2,079
Itemized deduction limitation.....	-788	-788	0
California itemized deductions.....	679	679	0
California standard deduction.....	3,670	3,637	33
TAX COMPUTATION			
Total taxable income.....	203,626	203,659	-33
Tax.....	17,156	17,180	-24
Net tax.....	17,156	17,180	-24
PAYMENTS			
California income tax withheld.....	0	0	0
Total payments.....	0	0	0
REFUND OR AMOUNT DUE			
Amount overpaid.....	0	0	0
Amount you owe.....	17,156	17,180	-24
TAX RATES			
Marginal tax rate.....	9.6%	9.6%	0.0%
Effective tax rate.....	8.4%	8.4%	0.0%

2010**General Information****Page 1****Client EX7F-CA****Joe Trader MTM Comm Gains Ex 7****999-99-9999**

2/16/11

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Forms needed for this return

Federal: 1040, 1040-V, Sch B, Sch C, Sch D, 4562, 4797, 6251, 6781, 8829
California: 540, 540-V, Sch P, 3526

Tax Rates

	<u>Marginal</u>	<u>Effective</u>
Federal	33.0%	24.0%
California	9.6%	8.4%

Carryovers to 2011Federal Carryovers

Deductible State and Local Taxes 17,156.

Demo

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 2011, 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 2011, 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 excluding capital gains and qualified dividends is \$181,683, placing the taxpayer in a 33% marginal tax bracket on ordinary income. Based on 2010 tax rates, ordinary income would have to increase by over \$191,967 in order for any ordinary income to begin being taxed in the 35% bracket. This may be used as a guide in determining the advantages or disadvantages of receiving discretionary ordinary income in 2011.
- ☐ The taxpayer's taxable interest exceeds tax-exempt interest. The taxpayer may benefit by converting taxable securities to tax-exempt securities. Although tax-exempt securities normally produce a lower yield, the tax savings for taxpayer's in a higher bracket may offset the higher income yielded from taxable securities.
- ☐ 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.
- ☐ 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.
- ☐ Although the taxpayer is not subject to AMT, tentative minimum tax is currently 97% of regular tax. Consider reviewing next year's income and deduction items to see first if the taxpayer will be subject to AMT, and if AMT applies, review preference and adjustment items to see if any can be postponed or eliminated.

Compliance Tips

- ☐ Schedule C for Joe Trader MTM Comm Gains Ex 7 (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 Gains Ex 7 (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.

Demo

2010**Schedule C Analysis****Client EX7F-CA****Joe Trader MTM Comm Gains Ex 7****999-99-9999**

2/16/11	Actual Amounts For This Business		National Average Expense Ratios Applied to This Business*		02:59PM
Joe Trader MTM Comm Gains Ex 7 (1) PBA Code: 523130 Commodity Contracts Dealers	Amounts	% of Sales	Amounts	% of Sales	This Business' Deviation from Averages

INCOME

Gross receipts less returns and allowances		N/A		N/A	
Cost of goods sold:					
Beginning inventory				0.14%	
Purchases				73.26%	
Cost of labor				0.27%	
Materials and supplies				0.24%	
Other costs				10.51%	
Ending inventory				0.11%	
Cost of goods sold					
Gross profit					
Other income	46,147.			0.27%	
Total income	46,147.		0.		

EXPENSES

Advertising				0.06%	
Car and truck expenses				0.29%	
Commissions				1.06%	
Contract labor				0.43%	
Depletion					
Depreciation	7,865.			0.32%	
Employee benefit programs				0.02%	
Insurance				0.03%	
Mortgage interest				0.07%	
Other interest	16,299.			0.18%	
Legal and professional services				0.25%	
Office expense				0.27%	
Pension and profit-sharing plans				0.01%	
Rent or lease of machinery and equipment				0.04%	
Rent on other business property				0.94%	
Repairs and maintenance				0.08%	
Supplies	953.			0.11%	
Taxes and licenses				0.07%	
Travel	1,855.			0.34%	
Meals and entertainment	1,327.			0.27%	
Utilities				0.13%	
Wages				1.17%	
Other expenses	10,612.			5.46%	
Expenses for business use of home	7,236.			0.02%	
Total expenses	46,147.		0.		

NET PROFIT

	0.		0.		
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* National average expense ratios are derived from the IRS summer 2010 statistics of income bulletin for sole proprietorships (Sole Proprietor Returns, 2008 section). The ratios are expressed as a percentage of gross receipts for businesses of this type, or similar type.