

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

Example LLC.

2012 trader tax status: Two-three trades per day. Average holding period will be less than 10 minutes, so these are mostly day trades; positions rarely held overnight. Pattern day trader. Spends 10-12 hours per day, including full market hours. Trading equities, options and futures (mostly stock option). \$100,000 account size. Intention to run a trading business. Has a home office, has tools and has not decided on platform; will be a direct access platform. Trader status for 2012 return.

One IB trading account in LLC name, with over 1,400 rt trades and \$3.8 million in proceeds from May to December.

Internally elected MTM for securities only on 5/16/11. No 3115 or 481 since first-time filer.

Taxpayer wanted to maximize the 401(k) contribution for 2012, so an administration fee of \$174,156 was required.

Individual 401(k) contribution calculation for a sole proprietorship, partnership or a single member LLC taxed as a sole proprietorship:

Salary deferral contribution - Although the term salary deferral is used, these businesses do not provide a W-2 salary to the business owner. For businesses of this type, the salary deferral contribution is based on net adjusted business profit. Net adjusted business profit is calculated by taking gross self-employment income and then subtracting business expenses and then subtracting half of the self-employment tax. In 2011, 100% of net adjusted business profits income up to the maximum of \$17,000 or \$22,500 if age 50 or older can be contributed in salary deferrals into an Individual 401(k).

Profit sharing contribution - A profit sharing contribution can be made up to 20% of net adjusted businesses profits. Net adjusted business profit is calculated by taking gross self-employment income and then subtracting business expenses and then subtracting half of the self-employment tax. You will want to ask your tax professional for assistance with this calculation.

A successful trader under the age of 50 that wants to max out his/her 401(k) plan for 2012 for his/her partnership or multi-member LLC needs an administration fee of \$174,156 paid to him/her from the entity. \$17,000 of salary deferrals (Taxable 1099 Misc. (self-employment earnings (box 7 of 1099 Misc.) would be \$174,156) \$17,000 deferral amount + \$33,000 profit sharing contribution = \$50,000 total 401k contribution. Profit sharing portion is calculated as follow: \$174,156 - \$9,158 (1/2 SE tax) = \$164,998 x 20% = \$33,000.

Schedule B shows 100% ownership for both members because Member 1 and Member 2 are related individuals, and they constructively own 100% of the entity's profits and loss.

2012

Federal Filing Instructions

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

FORM TO FILE:

Form 1065 - 2012 U.S. Return of Partnership Income

SIGNATURE:

Sign and date Form 1065.

PAYMENT:

No payment is required.

WHEN TO FILE:

On or before April 15, 2013.

WHERE TO FILE:

Department of the Treasury
Internal Revenue Service Center
Ogden, UT 84201-0011

Demo

OTHER INSTRUCTIONS:

You must distribute a copy of the 2012 Schedule K-1 to each partner.
Be sure to give each partner a copy of the Partner's Instructions for
Schedule K-1 (Form 1065).

Form **1065**Department of the Treasury
Internal Revenue Service**U.S. Return of Partnership Income**For calendar year 2012, or tax year beginning 5/16, 2012,
ending 12/31, 20 12.

OMB No. 1545-0099

2012► Information about Form 1065 and its separate instructions is at www.irs.gov/form1065.**A** Principal business activity

Trading

B Principal product or service

Sec. & Comm.

C Business code number

523110

Print
or type.Example LLC (MTM GAIN)
Any Street
Houston, TX 77001**D** Employer identification
number

98-7999998

E Date business started

5/16/2012

F Total assets (see instrs)

\$ 87,538.

G Check applicable boxes: (1) ☒ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return(6) ☐ Technical termination — also check (1) or (2)**H** Check accounting method: (1) ☐ Cash (2) ☐ Accrual (3) ☒ Other (specify) ► Sec 475 (f) (1)**I** Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year 2**J** Check if Schedules C and M-3 are attached ☐**Caution.** Include **only** trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

I N C O M E	1 a	Gross receipts or sales	
	1 b	Returns and allowances	
	1 c	Balance. Subtract line 1b from line 1a	
	2	Cost of goods sold (attach Form 1125-A)	
	3	Gross profit. Subtract line 2 from line 1c	
	4	Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)	
	5	Net farm profit (loss) (attach Schedule F (Form 1040))	
	6	Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)	
S E E I N S T R U C T I O N S F O R L I M I T A T I O N S	7	Other income (loss) (attach statement)	
	8	Total income (loss). Combine lines 3 through 7	
	9	Salaries and wages (other than to partners) (less employment credits)	
	10	Guaranteed payments to partners	
	11	Repairs and maintenance	
	12	Bad debts	
	13	Rent	
	14	Taxes and licenses	
	15	Interest	
	16 a	Depreciation (if required, attach Form 4562)	
	16 b	Less depreciation reported on Form 1125-A and elsewhere on return	
	16 c		
	17	Depletion (Do not deduct oil and gas depletion.)	
	18	Retirement plans, etc.	
19	Employee benefit programs		
20	Other deductions (attach statement) See Statement 1	178,487.	
21	Total deductions. Add the amounts shown in the far right column for lines 9 through 20	178,487.	
22	Ordinary business income (loss). Subtract line 21 from line 8	-178,487.	

**Sign
Here**

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

Signature of general partner or limited liability company member manager

Date

May the IRS discuss this return
with the preparer shown below
(see instrs)? ☒ Yes ☐ No**Paid
Preparer
Use Only**

Print/Type preparer's name

Preparer's signature

Date

Check ☐ if
self-employed

PTIN

Firm's name ► Green NFH, LLC

Firm's EIN ► 45-4365561

Firm's address ► PO Box 1198

Robertsdale, AL 36567

Phone no. (888) 558-5257

BAA For Paperwork Reduction Act Notice, see separate instructions.

PTPA0105L 01/18/13

Form **1065** (2012)

Schedule B Other Information

1 What type of entity is filing this return? Check the applicable box:				Yes	No
a <input type="checkbox"/> Domestic general partnership	b <input type="checkbox"/> Domestic limited partnership				
c <input checked="" type="checkbox"/> Domestic limited liability company	d <input type="checkbox"/> Domestic limited liability partnership				
e <input type="checkbox"/> Foreign partnership	f <input type="checkbox"/> Other				
2 At any time during the tax year, was any partner in the partnership a disregarded entity, a partnership (including an entity treated as a partnership), a trust, an S corporation, an estate (other than an estate of a deceased partner), or a nominee or similar person?					X
3 At the end of the tax year:					
a Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization, or any foreign government own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If 'Yes,' attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership					X
b Did any individual or estate own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If 'Yes,' attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership				X	
4 At the end of the tax year, did the partnership:					
a Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If 'Yes,' complete (i) through (iv) below.					X
(i) Name of Corporation		(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage Owned in Voting Stock	
b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If 'Yes,' complete (i) through (v) below					X
(i) Name of Entity		(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital
				Yes	No
5 Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details.					X
6 Does this partnership satisfy all four of the following conditions?					
a The partnership's total receipts for the tax year were less than \$250,000.					
b The partnership's total assets at the end of the tax year were less than \$1 million.					
c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return.					
d The partnership is not filing and is not required to file Schedule M-3				X	
If 'Yes,' the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item L on Schedule K-1.					
7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)?					X
8 During the tax year, did the partnership have any debt that was cancelled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?					X
9 Has this partnership filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction?					X
10 At any time during calendar year 2012, did the partnership 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 the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts. If 'Yes,' enter the name of the foreign country. ▶					X

Schedule B Other Information (continued)

	Yes	No
11 At any time during the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If 'Yes,' the partnership may have to file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts. See instructions.		X
12a Is the partnership making, or had it previously made (and not revoked), a section 754 election? See instructions for details regarding a section 754 election.		X
b Did the partnership make for this tax year an optional basis adjustment under section 743(b) or 734(b)? If 'Yes,' attach a statement showing the computation and allocation of the basis adjustment. See instructions.		X
c Is the partnership required to adjust the basis of partnership assets under section 743(b) or 734(b) because of a substantial built-in loss (as defined under section 743(d)) or substantial basis reduction (as defined under section 734(d))? If 'Yes,' attach a statement showing the computation and allocation of the basis adjustment. See instructions.		X
13 Check this box if, during the current or prior tax year, the partnership distributed any property received in a like-kind exchange or contributed such property to another entity (other than disregarded entities wholly-owned by the partnership throughout the tax year) <input type="checkbox"/>		
14 At any time during the tax year, did the partnership distribute to any partner a tenancy-in-common or other undivided interest in partnership property?		X
15 If the partnership is required to file Form 8858, Information Return of U.S. Persons With Respect To Foreign Disregarded Entities, enter the number of Forms 8858 attached. See instructions ▶		
16 Does the partnership have any foreign partners? If 'Yes,' enter the number of Forms 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax, filed for this partnership. ▶		X
17 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return. ▶		
18a Did you make any payments in 2012 that would require you to file Form(s) 1099? See instructions.		X
b If 'Yes,' did you or will you file all required Form(s) 1099?		
19 Enter the number of Form(s) 5471, Information Return of U.S. Persons With Respect To Certain Foreign Corporations, attached to this return. ▶		
20 Enter the number of partners that are foreign governments under section 892 ▶ 0		

Designation of Tax Matters Partner (see instructions)

Enter below the general partner or member-manager designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP ▶	Member #1	Identifying number of TMP ▶	888-88-8888
If the TMP is an entity, name of TMP representative ▶		Phone number of TMP ▶	
Address of designated TMP ▶	Any Street Houston, TX 77001		

Schedule K Partners' Distributive Share Items		Total amount	
Income (Loss)	1 Ordinary business income (loss) (page 1, line 22).....	1	-178,487.
	2 Net rental real estate income (loss) (attach Form 8825).....	2	
	3a Other gross rental income (loss).....	3a	
	b Expenses from other rental activities (attach stmt).....	3b	
	c Other net rental income (loss). Subtract line 3b from line 3a.....	3c	
	4 Guaranteed payments.....	4	
	5 Interest income.....	5	
	6 Dividends: a Ordinary dividends.....	6a	
	b Qualified dividends.....	6b	
	7 Royalties.....	7	
	8 Net short-term capital gain (loss) (attach Schedule D (Form 1065)).....	8	259,366.
Income (Loss)	9a Net long-term capital gain (loss) (attach Schedule D (Form 1065)).....	9a	
	b Collectibles (28%) gain (loss).....	9b	
	c Unrecaptured section 1250 gain (attach statement).....	9c	
	10 Net section 1231 gain (loss) (attach Form 4797).....	10	
	11 Other income (loss) (see instructions) Type ▶ See Statement 2	11	3,172.
Deductions	12 Section 179 deduction (attach Form 4562).....	12	
	13a Contributions.....	13a	
	b Investment interest expense.....	13b	
	c Section 59(e)(2) expenditures: (1) Type ▶ (2) Amount ▶	13c (2)	
	d Other deductions (see instructions) Type ▶	13d	
Self-Employment	14a Net earnings (loss) from self-employment.....	14a	
	b Gross farming or fishing income.....	14b	
	c Gross nonfarm income.....	14c	
Credits	15a Low-income housing credit (section 42(j)(5)).....	15a	
	b Low-income housing credit (other).....	15b	
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468).....	15c	
	d Other rental real estate credits (see instructions) Type ▶	15d	
	e Other rental credits (see instructions)..... Type ▶	15e	
	f Other credits (see instructions)..... Type ▶	15f	
Foreign Transactions	16a Name of country or U.S. possession... ▶		
	b Gross income from all sources.....	16b	
	c Gross income sourced at partner level.....	16c	
	Foreign gross income sourced at partnership level		
	d Passive category ▶ e General category ▶ f Other..... ▶	16f	
	Deductions allocated and apportioned at partner level		
	g Interest expense ▶ h Other..... ▶	16h	
	Deductions allocated and apportioned at partnership level to foreign source income		
	i Passive category ▶ j General category ▶ k Other..... ▶	16k	
	l Total foreign taxes (check one): ▶ Paid <input type="checkbox"/> Accrued <input type="checkbox"/>	16l	
m Reduction in taxes available for credit (attach statement).....	16m		
	n Other foreign tax information (attach statement).....		
Alternative Minimum Tax (AMT) Items	17a Post-1986 depreciation adjustment.....	17a	
	b Adjusted gain or loss.....	17b	
	c Depletion (other than oil and gas).....	17c	
	d Oil, gas, and geothermal properties — gross income.....	17d	
	e Oil, gas, and geothermal properties — deductions.....	17e	
	f Other AMT items (attach stmt).....	17f	
Other Information	18a Tax-exempt interest income.....	18a	
	b Other tax-exempt income.....	18b	
	c Nondeductible expenses.....	18c	
	19a Distributions of cash and marketable securities.....	19a	83,620.
	b Distributions of other property.....	19b	
	20a Investment income.....	20a	
	b Investment expenses.....	20b	
	c Other items and amounts (attach stmt).....		

Analysis of Net Income (Loss)

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16l.						1	84,051.
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/Other	
a General partners. . . .							
b Limited partners. . . .		84,051.					

Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
Assets		(a)	(b)	(c)	(d)
1 Cash.					83,364.
2a Trade notes and accounts receivable.					
b Less allowance for bad debts.					
3 Inventories.					
4 U.S. government obligations.					
5 Tax-exempt securities.					
6 Other current assets (attach stmt) . . . See St 3					4,174.
7a Loans to partners (or persons related to partners). . . .					
b Mortgage and real estate loans.					
8 Other investments (attach stmt).					
9a Buildings and other depreciable assets.					
b Less accumulated depreciation.					
10a Depletable assets.					
b Less accumulated depletion.					
11 Land (net of any amortization).					
12a Intangible assets (amortizable only).				1,140.	
b Less accumulated amortization.				1,140.	
13 Other assets (attach stmt).					
14 Total assets.					87,538.
Liabilities and Capital					
15 Accounts payable.					
16 Mortgages, notes, bonds payable in less than 1 year. . . .					
17 Other current liabilities (attach stmt)					
18 All nonrecourse loans.					
19a Loans from partners (or persons related to partners). . . .					
b Mortgages, notes, bonds payable in 1 year or more. . . .					
20 Other liabilities (attach stmt)					
21 Partners' capital accounts.					87,538.
22 Total liabilities and capital.					87,538.

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return**Note.** Schedule M-3 may be required instead of Schedule M-1 (see instructions).

1 Net income (loss) per books.	84,051.	6 Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
2 Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):		a Tax-exempt interest . . \$	
3 Guaranteed pmts (other than health insurance). . . .		7 Deductions included on Schedule K, lines 1 through 13d, and 16l, not charged against book income this year (itemize):	
4 Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16l (itemize):		a Depreciation \$	
a Depreciation \$		8 Add lines 6 and 7.	
b Travel and entertainment \$		9 Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5.	84,051.
5 Add lines 1 through 4.	84,051.		

Schedule M-2 Analysis of Partners' Capital Accounts

1 Balance at beginning of year.	0.	6 Distributions: a Cash.	83,620.
2 Capital contributed: a Cash.	87,107.	b Property.	
b Property.		7 Other decreases (itemize):	
3 Net income (loss) per books.	84,051.	8 Add lines 6 and 7.	83,620.
4 Other increases (itemize):		9 Balance at end of year. Subtract line 8 from line 5. . . .	87,538.
5 Add lines 1 through 4.	171,158.		

**SCHEDULE B-1
(Form 1065)**(December 2011)
Department of the Treasury
Internal Revenue Service**Information on Partners Owning 50% or
More of the Partnership**▶ **Attach to Form 1065. See instructions.**

OMB No. 1545-0099

Name of partnership

Example LLC (MTM GAIN)

Employer identification number (EIN)

98-7999998**Part I** **Entities Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 3a)

Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, tax-exempt organization, or any foreign government that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital

Part II **Individuals or Estates Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 3b)

Complete columns (i) through (iv) below for any individual or estate that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Maximum Percentage Owned in Profit, Loss, or Capital
Member #1	888-88-8888	United States	100.000
Member #2	777-77-7777	United States	100.000

BAA For Paperwork Reduction Act Notice, see the instructions for Form 1065.

Schedule **B-1** (Form 1065) (12-2011)

**Schedule D
(Form 1065)**Department of the Treasury
Internal Revenue Service**Capital Gains and Losses**

- Attach to Form 1065 or Form 8865 ► Use Form 8949 to list your transactions for lines 1, 2, 3, 8, 9, and 10.
► Information about Schedule D (Form 1065) and its separate instructions is at www.irs.gov/form1065.

OMB No. 1545-0099

2012

Name of partnership

Example LLC (MTM GAIN)

Employer identification number

98-7999998

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

Complete Form 8949 before completing line 1, 2, or 3. This form may be easier to complete if you round off cents to whole dollars

	(d) Proceeds (sales price) from Form(s) 8949, Part I, line 2, column (d)	(e) Cost or other basis from Form(s) 8949, Part I, line 2, column (e)	(g) Adjustments to gain or loss from Form(s) 8949, Part I, line 2, column (g)	(h) Gain or (loss). Subtract column (e) from column (d) and combine the result with column (g)
1 Short-term totals from all Forms 8949 with box A checked in Part I	3,985,956.	3,726,590.		259,366.
2 Short-term totals from all Forms 8949 with box B checked in Part I				
3 Short-term totals from all Forms 8949 with box C checked in Part I				
4 Short-term capital gain from installment sales from Form 6252, line 26 or 37			4	
5 Short-term capital gain or (loss) from like-kind exchanges from Form 8824			5	
6 Partnership's share of net short-term capital gain (loss), including specially allocated short-term capital gains (losses), from other partnerships, estates, and trusts			6	
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (h). Enter here and on Form 1065, Schedule K, line 8 or 11; or Form 8865, Schedule K, line 8 or 11			7	259,366.

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

Complete Form 8949 before completing line 8, 9, or 10. This form may be easier to complete if you round off cents to whole dollars

	(d) Proceeds (sales price) from Form(s) 8949, Part II, line 4, column (d)	(e) Cost or other basis from Form(s) 8949, Part II, line 4, column (e)	(g) Adjustments to gain or loss from Form(s) 8949, Part II, line 4, column (g)	(h) Gain or (loss). Subtract column (e) from column (d) and combine the result with column (g)
8 Long-term totals from all Forms 8949 with box A checked in Part II				
9 Long-term totals from all Forms 8949 with box B checked in Part II				
10 Long-term totals from all Forms 8949 with box C checked in Part II				
11 Long-term capital gain from installment sales from Form 6252, line 26 or 37			11	
12 Long-term capital gain or (loss) from like-kind exchanges from Form 8824			12	
13 Partnership's share of net long-term capital gain (loss), including specially allocated long-term capital gains (losses), from other partnerships, estates, and trusts			13	
14 Capital gain distributions (see instructions)			14	
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (h). Enter here and on Form 1065, Schedule K, line 9a or 11; or Form 8865, Schedule K, line 9a or 11			15	

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 1065.**Schedule D (Form 1065) 2012**

Sales and Other Dispositions of Capital Assets

- Information about Form 8949 and its separate instructions is at www.irs.gov/form8949.
 ► File with your Schedule D to list your transactions for lines 1, 2, 3, 8, 9, and 10 of Schedule D.

2012Attachment
Sequence No. **12A**

Name(s) shown on return

SSN or taxpayer identification no.

Example LLC (MTM GAIN)**98-7999998**

Most brokers issue their own substitute statement instead of using Form 1099-B. They also may provide basis information (usually your cost) to you on the statement even if it is not reported to the IRS. Before you check Box A, B, or C below, determine whether you received any statement(s) and, if so, the transactions for which basis was reported to the IRS. Brokers are required to report basis to the IRS for most stock you bought in 2011 or later.

Part I **Short-Term.** Transactions involving capital assets you held one year or less are short term. For long-term transactions, see page 2.

You must check Box A, B, or C below. Check only one box. If more than one box applies for your short-term transactions, complete a separate Form 8949, page 1, for each applicable box. If you have more short-term transactions than will fit on this page for one or more of the boxes, complete as many forms with the same box checked as you need.

- ☒ **(A)** Short-term transactions reported on Form(s) 1099-B showing basis **was** reported to the IRS
☐ **(B)** Short-term transactions reported on Form(s) 1099-B showing basis **was not** reported to the IRS
☐ **(C)** Short-term transactions not reported to you on Form 1099-B

1	(a) Description of property (Example: 100 shares XYZ Co)	(b) Date acquired (Mo, day, yr)	(c) Date sold or disposed (Mo, day, yr)	(d) Proceeds (sales price) (see instructions)	(e) Cost or other basis. See the Note below and see <i>Column (e)</i> in the separate instructions	Adjustment, if any, to gain or loss. If you enter an amount in column (g), enter a code in column (f). See the separate instructions.		(h) Gain or (loss). Subtract column (e) from column (d) and combine the result with column (g)
						(f) Code(s) from instructions	(g) Amount of adjustment	
	IB - Trading account (See Attached)	Various	Various	3985956.	3726590.			259,366.
2 Totals. Add the amounts in columns (d), (e), (g), and (h) (subtract negative amounts). Enter each total here and include on your Schedule D, line 1 (if Box A above is checked), line 2 (if Box B above is checked), or line 3 (if Box C above is checked). ►				3985956.	3726590.		0.	259,366.

Note. If you checked Box A above but the basis reported to the IRS was incorrect, enter in column (e) the basis as reported to the IRS, and enter an adjustment in column (g) to correct the basis. See *Column (g)* in the separate instructions for how to figure the amount of the adjustment.

Schedule K-1
(Form 1065)

Department of the Treasury
Internal Revenue Service

2012

For calendar year 2012, or tax
year beginning 5/16, 2012
ending 12/31, 2012

Partner's Share of Income, Deductions,
Credits, etc. ▶ See separate instructions.

☐ Final K-1

☐ Amended K-1

651112
OMB No. 1545-0099

Part I Information About the Partnership													
A Partnership's employer identification number 98-7999998													
B Partnership's name, address, city, state, and ZIP code Example LLC (MTM GAIN) Any Street Houston, TX 77001													
C IRS Center where partnership filed return Ogden, UT													
D <input type="checkbox"/> Check if this is a publicly traded partnership (PTP)													
Part II Information About the Partner													
E Partner's identifying number 888-88-8888													
F Partner's name, address, city, state, and ZIP code Member #1 Any Street Houston, TX 77001													
G <input checked="" type="checkbox"/> General partner or LLC member-manager	<input type="checkbox"/> Limited partner or other LLC member												
H <input checked="" type="checkbox"/> Domestic partner	<input type="checkbox"/> Foreign partner												
I1 What type of entity is this partner? (see instr) <u>Individual</u>													
I2 If this partner is a retirement plan (IRA/SEP/Keogh/etc), check here (see instructions). <input type="checkbox"/>													
J Partner's share of profit, loss, and capital (see instructions):													
<table><thead><tr><th></th><th>Beginning</th><th>Ending</th></tr></thead><tbody><tr><td>Profit</td><td>%</td><td>50 %</td></tr><tr><td>Loss</td><td>%</td><td>50 %</td></tr><tr><td>Capital</td><td>%</td><td>50 %</td></tr></tbody></table>		Beginning	Ending	Profit	%	50 %	Loss	%	50 %	Capital	%	50 %	
	Beginning	Ending											
Profit	%	50 %											
Loss	%	50 %											
Capital	%	50 %											
K Partner's share of liabilities at year end:													
Nonrecourse \$													
Qualified nonrecourse financing \$													
Recourse \$													
L Partner's capital account analysis:													
Beginning capital account \$ 0.													
Capital contributed during the year \$ 43,553.													
Current year increase (decrease) \$ 42,026.													
Withdrawals and distributions \$ (41,810.)													
Ending capital account \$ 43,769.													
<input checked="" type="checkbox"/> Tax basis <input type="checkbox"/> GAAP <input type="checkbox"/> Section 704(b) book													
<input type="checkbox"/> Other (explain)													
M Did the partner contribute property with a built-in gain or loss?													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
If 'Yes', attach statement (see instructions)													

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items		
1	Ordinary business income (loss)	15 Credits
	-89,243.	
2	Net rental real estate income (loss)	
3	Other net rental income (loss)	16 Foreign transactions
4	Guaranteed payments	
5	Interest income	
6a	Ordinary dividends	
6b	Qualified dividends	
7	Royalties	
8	Net short-term capital gain (loss)	
	129,683.	
9a	Net long-term capital gain (loss)	17 Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)	
9c	Unrecaptured section 1250 gain	
10	Net section 1231 gain (loss)	18 Tax-exempt income and nondeductible expenses
11	Other income (loss)	
	1,586.	
12	Section 179 deduction	19 Distributions
		A 41,810.
13	Other deductions	20 Other information
14	Self-employment earnings (loss)	
*See attached statement for additional information.		

FOR
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Schedule K-1
(Form 1065)Department of the Treasury
Internal Revenue Service

2012

For calendar year 2012, or tax

year beginning 5/16, 2012
ending 12/31, 2012Partner's Share of Income, Deductions,
Credits, etc.

► See separate instructions.

Part I Information About the Partnership

A Partnership's employer identification number

98-7999998

B Partnership's name, address, city, state, and ZIP code

Example LLC (MTM GAIN)
Any Street
Houston, TX 77001

C IRS Center where partnership filed return

Ogden, UT

D ☐ Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's identifying number

777-77-7777

F Partner's name, address, city, state, and ZIP code

Member #2
Any Street
Houston, TX 77001G ☐ General partner or LLC
member-manager☒ Limited partner or other
LLC memberH ☒ Domestic partner☐ Foreign partner

I1 What type of entity is this partner? (see instr) Individual

I2 If this partner is a retirement plan (IRA/SEP/Keogh/etc),
check here (see instructions). ☐

J Partner's share of profit, loss, and capital (see instructions):

Beginning		Ending
Profit	%	50 %
Loss	%	50 %
Capital	%	50 %

K Partner's share of liabilities at year end:

Nonrecourse \$
Qualified nonrecourse financing \$
Recourse \$

L Partner's capital account analysis:

Beginning capital account \$ 0.
Capital contributed during the year \$ 43,554.
Current year increase (decrease) \$ 42,025.
Withdrawals and distributions \$ (41,810.)
Ending capital account \$ 43,769.☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain)

M Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If 'Yes', attach statement (see instructions)

☐ Final K-1☐ Amended K-1651112
OMB No. 1545-0099Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items

1	Ordinary business income (loss)	15	Credits
	-89,244.		
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
	129,683.		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)		
	1,586.		
12	Section 179 deduction	19	Distributions
13	Other deductions	A	41,810.
14	Self-employment earnings (loss)	20	Other information

*See attached statement for additional information.

FOR
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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

2012Attachment
Sequence No. **179**

Name(s) shown on return

Example LLC (MTM GAIN)

Business or activity to which this form relates

Form 1065

Identifying number

98-7999998

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	
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	
10	Carryover of disallowed deduction from line 13 of your 2011 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instrs) ..	11	
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	
13	Carryover of disallowed deduction to 2013. Add lines 9 and 10, less line 12	13	

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

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

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
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 2012	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.		

Section B — Assets Placed in Service During 2012 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
19 a 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 2012 Tax Year Using the Alternative Depreciation System

20 a 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	
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 08/19/12

Form **4562** (2012)

Part V Listed Property (Include automobiles, certain other vehicles, certain computers, and property used for entertainment, recreation, or amusement.)

Note: For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete **only** 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.

Section A – Depreciation and Other Information (Caution: See the instructions for limits for passenger automobiles.)

24a Do you have evidence to support the business/investment use claimed? <input type="checkbox"/> Yes <input type="checkbox"/> No						24b If 'Yes,' is the evidence written? <input type="checkbox"/> Yes <input type="checkbox"/> No			
(a) Type of property (list vehicles first)	(b) Date placed in service	(c) Business/ investment use percentage	(d) Cost or other basis	(e) Basis for depreciation (business/investment use only)	(f) Recovery period	(g) Method/ Convention	(h) Depreciation deduction	(i) Elected section 179 cost	
25 Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use (see instructions).....							25		
26 Property used more than 50% in a qualified business use:									
27 Property used 50% or less in a qualified business use:									
28 Add amounts in column (h), lines 25 through 27. Enter here and on line 21, page 1							28		
29 Add amounts in column (i), line 26. Enter here and on line 7, page 1							29		

Section B – Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other 'more than 5% owner,' or related person. If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles.

	(a) Vehicle 1		(b) Vehicle 2		(c) Vehicle 3		(d) Vehicle 4		(e) Vehicle 5		(f) Vehicle 6	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
30 Total business/investment miles driven during the year (do not include commuting miles)												
31 Total commuting miles driven during the year												
32 Total other personal (noncommuting) miles driven												
33 Total miles driven during the year. Add lines 30 through 32												
34 Was the vehicle available for personal use during off-duty hours?												
35 Was the vehicle used primarily by a more than 5% owner or related person?												
36 Is another vehicle available for personal use?												

Section C – Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who **are not** more than 5% owners or related persons (see instructions).

	Yes	No
37 Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?		
38 Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39 Do you treat all use of vehicles by employees as personal use?		
40 Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41 Do you meet the requirements concerning qualified automobile demonstration use? (See instructions.)		

Note: If your answer to 37, 38, 39, 40, or 41 is 'Yes,' do not complete Section B for the covered vehicles.

Part VI Amortization

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) Amortization period or percentage	(f) Amortization for this year
42 Amortization of costs that begins during your 2012 tax year (see instructions):					
Start up cost	5/16/12		195		
43 Amortization of costs that began before your 2012 tax year					43
44 Total. Add amounts in column (f). See the instructions for where to report					44

Form **6781****Gains and Losses From Section 1256
Contracts and Straddles**

OMB No. 1545-0644

2012Department of the Treasury
Internal Revenue Service► Information about Form 6781 and its instructions is at www.irs.gov/form6781
► Attach to your tax return.Attachment
Sequence No. **82**

Name(s) shown on tax return

Identifying number

Example LLC (MTM GAIN)

98-7999998

Check all applicable boxes (see instructions).

A☐

Mixed straddle election

C☐

Mixed straddle account election

B☐

Straddle-by-straddle identification election

D☐

Net section 1256 contracts loss election

Part I Section 1256 Contracts Marked to Market

1	(a) Identification of account	(b) (Loss)	(c) Gain
IB - Trading account - Futures			3,172.
2	Add the amounts on line 1 in columns (b) and (c).....	2	3,172.
3	Net gain or (loss). Combine line 2, columns (b) and (c).....	3	3,172.
4	Form 1099-B adjustments. See instructions and attach statement.....	4	
5	Combine lines 3 and 4.....	5	3,172.
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.....	6	
7	Combine lines 5 and 6.....	7	
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).....	8	
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).....	9	

Part II Gains and Losses From Straddles. Attach a separate statement 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							
11 a Enter the short-term portion of losses from line 10, column (h), here and include on the appropriate line of Schedule D (see instructions).....							11 a
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).....							11 b

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					
13 a Enter the short-term portion of gains from line 12, column (f), here and include on the appropriate line of Schedule D (see instructions).....					13 a
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).....					13 b

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 is adjusted	(e) Unrecognized gain. If column (c) is more than (d), enter difference. Otherwise, enter -0-
14				

2012

Federal Statements

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

Statement 1
Form 1065, Line 20
Other Deductions

Administration Fee.....	\$	174,156.
Domain name registration fee.....		103.
Start-up Costs.....		1,140.
Trader tax and accounting.....		1,250.
Trading bank charges.....		148.
Trading communication.....		312.
Trading fees.....		3.
Trading internet & cable services.....		412.
Trading market information services.....		444.
Trading postage.....		1.
Trading reference books.....		106.
Trading repairs and maintenance.....		50.
Trading subscriptions.....		349.
Trading supplies.....		13.
Total	\$	<u>178,487.</u>

Statement 2
Form 1065, Schedule K, Line 11
Other Income (Loss)

Form 6781, Part I.....	\$	3,172.
Total	\$	<u>3,172.</u>

Statement 3
Form 1065, Schedule L, Line 6
Other Current Assets

	<u>Beginning</u>	<u>Ending</u>
.....	\$ 0.	\$ 4,174.
Total	<u>\$ 0.</u>	<u>\$ 4,174.</u>

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

Note to Form 1065, Form 4797-Part II and Form 6781 in connection with taxpayer's business activity: "trader in securities and commodities"

This limited liability company (LLC) is in the business of trading securities and commodities, as defined below. For tax purposes the LLC is being treated as a partnership. The members report their respective Schedule K-1s on their individual income tax returns.

Taxpayer operated a trading business, in accordance with the definition below, from May 16, 2012 to December 31, 2012. 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.

Taxpayer's business activities are described in IRS Publication 550, Chapter 4 - Special Rules for Traders. We excerpt these rules below (and add some notes in parenthesis). This is a trading limited liability company but the business activity is explained in IRS Publication 550 written for individuals and therefore mentions Form 1040.

Special Rules for Traders in Securities.

IRS Publication 550 - Chapter 4, "Special Rules for Traders," applies to individuals and trading companies. We excerpt these rules below (and add some notes in parenthesis).

"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 2012).

..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, and thus had a 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 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. (This new taxpayer internally elected mark-to-market accounting for 2012 for securities only, not commodities).

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.

Expenses.

Interest expense and other investment expenses that an investor would deduct on Schedule A (Form 1040) are deducted by a trader on Form 1065, 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 the trading business expenses on Form 1065: trader in securities and 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 for New Taxpayers.

If you are not required to file a 2012 income tax return, you make the election by placing the above statement in your books and records no later than March 15, 2013. Attach a copy of the statement to your 2013 return.

Revenue Procedure 99-17, 1999-1 C.B. 503, 2/09/1999, IRC Sec 475(f) Mark-to-market election rules for dealers in securities-election for traders and dealers.

Section 5.03(2)

New taxpayers.

A new taxpayer is a taxpayer for which no federal income tax return was required to be filed for the taxable year immediately preceding the election year. A new taxpayer makes the election by placing in its books and records no later than 2 months and 15 days after the first day of the election year a statement that satisfies the requirements in section 5.04 of this revenue procedure. To notify the Service that the election was made, the new taxpayer must attach a copy of the statement to its original federal income tax return for the election year. (This is the first tax year for the trading LLC. The LLC elected mark-to-market accounting under section 475(f) for securities only for tax year 2011 internally within 2 months and 15 days of forming the entity. A copy of that election is included at the bottom of this footnote, which is being attached to the initial return).

Once you make the election, it will apply to 2012 and all later tax years, unless you get permission from IRS to revoke it. The effect of making the election is described under mark-to-market election made, earlier.

For more information on this election, see Revenue Procedure 99-17, 1999-1 C.B. and

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

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sections 475(f).

TAXPAYER ALSO 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 "trades 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: "Headnote - IRS has provided exclusive procedure for dealers in commodities and traders in commodities and securities to elect to use mark-to-market accounting method."

Taxpayer elected mark-to-market (MTM) accounting for securities trading only (not commodities).

Copy of partnership's internal election for mark-to-market accounting.

The new taxpayer made the election by placing the below statement in the company's books and records within 2 months and 15 days of forming the entity.

"Pursuant to IRC Section 475(f)(1), the Taxpayer hereby elects to adopt the mark-to-market method of accounting for the tax year ended Dec. 31, 2012 and subsequent tax years. The election applies to the following trade or business: Trader in Securities as a Limited Liability Company."

2012

General Information

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

Forms needed for this return

Federal: 1065, Sch B-1, Sch D, Sch K-1, 4562, 6781, 8949

Carryovers to 2013

None

Demo

2012

Schedule K-1 Allocation Summary

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

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Ptr# Name

1 Member #1
2 Member #2

Line	Item	Total on Schedule K	Partner 1	Partner 2
----	-----	-----	-----	-----
L	Profit Sharing Alloc. Percentage		50.000000	50.000000
L	Loss Sharing Alloc. Percentage		50.000000	50.000000
1	Ordinary business income (loss)	-178,487.	-89,243.	-89,244.
8	Net S/T cap. gain (loss)	259,366.	129,683.	129,683.
11	Other income (loss)	3,172.	1,586.	1,586.
19	Distributions of cash & market. sec.	83,620.	41,810.	41,810.

Demo

2012

Partners' Allocation Percentages

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

Partner Number	Partner Name	Partner Identification Number	Partner Percentage of Profit Sharing	Partner Percentage of Loss Sharing	Partner Percentage of Ownership of Capital
1	Member #1	888-88-8888	50.000000	50.000000	50.000000
2	Member #2	777-77-7777	50.000000	50.000000	50.000000
		Totals	<u>100.000000</u>	<u>100.000000</u>	<u>100.000000</u>
PTPL0401L 06/01/12					

2012

Capital Account Reconciliation

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

FEDERAL ANALYSIS OF PARTNERS' CAPITAL ACCOUNTS

Partner Number	Partner Name	Beginning Capital Account	Capital Contributed during the year	Partner's share of lines 3, 4, and 7 Fm 1065,Sch. M-2	Withdrawals and Distributions	Ending Capital Account
1	Member #1		43,553.	42,026.	41,810.	43,769.
2	Member #2		43,554.	42,025.	41,810.	43,769.
	Totals		87,107.	84,051.	83,620.	87,538.

Demo

12/31/12

2012 Federal Depreciation Schedule

Page 1

Client EX3-LLC

Example LLC (MTM GAIN)

98-7999998

2/11/13

11:25AM

No.	Description	Date Acquired	Date Sold	Cost/ Basis	Bus. Pct.	Cur 179 Bonus	Special Depr. Allow.	Prior 179/ Bonus/ Sp. Depr.	Prior Dec. Bal. Depr.	Salvage /Basis Reductn	Depr. Basis	Prior Depr.	Method	Life	Rate	Current Depr.
Form 1065																
Amortization																
1	Start up cost	5/16/12		1,140						1,140	0		S/L			0
	Total Amortization			1,140		0	0	0	0	1,140	0	0				0
	Total Depreciation			0		0	0	0	0	0	0	0				0
	Grand Total Amortization			1,140		0	0	0	0	1,140	0	0				0
	Grand Total Depreciation			0		0	0	0	0	0	0	0				0

Demo