

# **FORM 83(b) ELECTION UNDER INTERNAL REVENUE CODE**

## **SECTION 83(b)**

The undersigned taxpayer hereby elects, pursuant to Section 83(b) of the Internal Revenue Code of 1986, as amended, to include in gross income as compensation for services the excess (if any) of the fair market value of the shares described below over the amount paid for those shares.

**\*\*Name of Taxpayer\*\*:** James Henderson

**Taxpayer's Social Security Number:** XXX-XX-XXXX

**Tax Year for which Election is being made:** 2024

**\*\*Description of Property\*\*:** 75,000 shares of Common Stock of Summit Digital Solutions, Inc., a Delaware corporation (the "Company")

**\*\*Date of Transfer\*\*:** January 15, 2024

**\*\*Nature of Restrictions\*\*:** The shares are subject to forfeiture to the Company if the taxpayer's employment with the Company terminates prior to vesting. The shares vest over a four-year period, with 25% vesting on the first anniversary of the Grant Date and the remainder vesting in equal quarterly installments over the following three years, subject to continued service to the Company.

**\*\*Fair Market Value\*\*:** The fair market value at the time of transfer (determined without regard to any restrictions other than restrictions which by their terms will never lapse) of the property with respect to which this election is being made is \$12.50 per share, for a total of \$937,500.

**\*\*Amount Paid for Property\*\*:** \$0.75 per share, for a total of \$56,250.

**\*\*Amount to Include in Gross Income\*\*:** \$881,250 (The difference between the fair market value of \$937,500 and the amount paid of \$56,250)

**\*\*Date of Election\*\*:** January 15, 2024

The undersigned taxpayer will file this election with the Internal Revenue Service office with which taxpayer files his or her annual income tax return not later than 30 days after the date of transfer of the property. A copy of the election also will be furnished to the person for whom the services were performed. Additionally, the undersigned will include a copy of the election with his or her income tax return for the taxable year in which the property is transferred. The undersigned is the person performing the services in connection with which the property was transferred.

## **ACKNOWLEDGMENT AND SIGNATURE**

The undersigned understands that the foregoing election may not be revoked except with the consent of the Commissioner of Internal Revenue.

Dated: January 15, 2024

/s/ James Henderson

James Henderson

## **SPOUSE'S CONSENT TO ELECTION**

I, Sarah Henderson, spouse of James Henderson, consent to the election made hereby under Section 83(b) of the Internal Revenue Code of 1986, as amended.

Dated: January 15, 2024

/s/ Sarah Henderson

Sarah Henderson

## **RECEIPT AND ACKNOWLEDGMENT**

Summit Digital Solutions, Inc. hereby acknowledges receipt of a copy of the foregoing Section 83(b) Election.

SUMMIT DIGITAL SOLUTIONS, INC.

By: /s/ Alexandra Reeves

Name: Dr. Alexandra Reeves

Title: Chief Executive Officer

Date: January 15, 2024

## **FILING INSTRUCTIONS**

This election should be filed by certified mail, return receipt requested, with the Internal Revenue Service Center where the taxpayer files his/her federal income tax returns. This election must be filed within 30 days after the date of transfer of the property.

A copy of this election should be provided to:

Summit Digital Solutions, Inc.

Attn: Human Resources Department

1234 Innovation Drive, Suite 500

Wilmington, DE 19801

The taxpayer should retain a copy of this election for their records and attach a copy to their federal income tax return for the year in which the property was transferred.

## **LEGAL DISCLAIMER**

This Form 83(b) Election is provided for informational purposes only and does not constitute legal or tax advice. The taxpayer is advised to consult with their own tax advisors regarding the consequences of this election and any other tax matters.

[END OF DOCUMENT]