

Employer Identification Number: Key District:

Dear Applicant:

This is a final adverse ruling with respect to your application for recognition of exemption from federal income tax as an organization described in section 501(c)(9) of the Internal Revenue Code. We have considered your written protest of our proposed denial ruling dated 🛲 We still conclude that the Trust "functions substantially as an investment fund for the direct and private benefit of the owner-employer. ... Under these circumstances, notwithstanding that current benefits are subject to a restriction that is generally permissible under section $1.501(c)(9) - 2(a)(i\bar{1})(F)$ (of the Income Tax Regulations), the Trust is organized and operated to promote the private interest of the owner-employee (other than through the provision of life, sick, accident, or other benefits) and thus violates the inurement proscription under section 1.501(c)(9)-4(a)."

Inasmuch as we hold that you do not qualify for tax exemption under section 501(c)(9) of the Code, you are required to file federal income tax returns on Form 1041.

Copies of this ruling will be forwarded to the Manual for exempt organization matters. If you have any questions about your federal income tax status, including questions concerning reporting requirements, please contact your Key District Director.

Sincerely,

cc: