

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

Date: JAN 12 2001

Employer Identification Number:

Form:
Form 1041

Tax Years:
All

Contact Person:

ID Number:

Telephone Number:

Dear Applicant:

This is in reference to your application for recognition of exemption from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(9) or section 501(c)(5) of the Code.

In a letter dated [REDACTED] we concluded in a proposed adverse ruling that you do not qualify for recognition of exemption under either section 501(c)(9) or section 501(c)(5) of The Code. We have considered your protest dated [REDACTED] as well as information provided during our telephone conference on [REDACTED] and in your post-conference submission dated [REDACTED]. Nevertheless, our conclusion remains as stated in our letter of [REDACTED].

Accordingly, this letter constitutes a final adverse ruling with respect to your claim of exemption from federal income taxation under sections 501(c)(5) and 501(c)(9) of the Internal Revenue Code.

We make our ruling for the following reason(s):

1. You do not qualify for exemption under section 501(c)(9) of the Code because the payment of incentive compensation is not a permitted benefit under section 501(c)(9).
2. You do not qualify for exemption under section 501(c)(5) of the Code because the operation of an incentive compensation plan is not closely related to a labor organization's principal activities of negotiating wages, hours, and working conditions, nor is the operation of an incentive compensation plan closely related and necessary to providing the mutual benefits characteristically associated with labor organizations.

The Code and the regulations issued thereunder require that you file federal income tax returns. Based upon the financial information that you furnished, you should file returns on the form and for the tax years indicated above within 30 days from the date of this letter, unless you request and are granted an extension of time to file the returns. You should attach a copy of this letter to the returns you file. Questions concerning the filing of returns should be directed to the Ohio Tax Exempt and Government Entities (TE/GE) office at 877-829-5500 (a toll free number).

[REDACTED]

If you have any questions concerning the reasons for this ruling, please contact the person whose name and telephone number appear in the heading of this letter.

Sincerely,

(signed) Robert C Harper, Jr.

Robert C. Harper, Jr.
Manager, Exempt Organizations
Technical Group 3

cc: [REDACTED]

[REDACTED]