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From:

Sent: Tuesday, December 29, 2009 9:47:11 AM

To:

Cc:

Subject: RE: TMP FOR YEAR OF TECHNICAL TERMINATION

I agree that section 708 seems to terminate the old partnership so that a partner in the new partnership would not be eligible to be TMP in the old partnership. There is a hazard to this interpretation since section 708 only treats the partnership as terminated "for purposes of this subchapter". So arguably the termination would not apply for purposes of the TEFRA subchapter and continuation under state law would control.