

01216

GARY D  
METAIRIE, LA 701

October 24, 2013

Department of the Treasury  
Internal Revenue Service  
Austin, TX 73301-0002

RE: Amended 2012 Tax Return - IRS Form 1040  
Gary D  
Sent via Certified USPS Mail: 7013 1710 0001 2426

To the Internal Revenue Service:

I am hereby filing an amended IRS Form 1040 Tax Return for 2012. Enclosed are the following documents in support of this amended filing:

- 1) IRS Form 1040X for 2012 (two pages)
- 2) Signed document stating the reason for rebutting the correcting 2012 Tax Reporting Statement from National Financial Services LLC for Account No. (one page)
- 3) Correcting 2012 Tax Reporting Statement from National Financial Services LLC for Account No. Payer's Fed ID Number 04-3523567 (four pages)
- 4) Signed document stating the reason for rebutting the correcting 2012 Tax Reporting Statement from National Financial Services LLC for Account No. (one page)
- 5) Correcting 2012 Tax Reporting Statement from National Financial Services LLC for Account No. Payer's Fed ID Number 04-3523567 (three pages)
- 6) Courtesy copy of original IRS Form 1040 for 2012 (twenty-two pages)
- 7) Courtesy copy of Form W-2 Wage and Tax Statement 2012 (one page)

Please note that National Financial Services LLC, the "PAYER" on the two enclosed 2012 Tax Reporting Statements, was not required to report private sector payments to me, the "RECIPIENT", as noted thereon on Forms 1099-DIV, 1099-INT and 1099-B but did so despite the fact no law required this action, and in so doing reported to the IRS that my private sector receipts of funds from this private sector entity is taxable, which they clearly are not. The financial activity which resulted in payments made to me as the "RECIPIENT" by "the PAYER" did not result from the exercise of a "trade or business", defined as the performance of the functions of a public office, in accordance with 26 U.S.C. 7701(a)(26) and as such cannot,

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therefore, be characterized as "...salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income..." (26 U.S.C. 6041(a)). There was no federal-privilege-connected activity involved in these transactions.

The amounts listed on the attached Form W-2 Wage and Tax Statement 2012 are correct as they reflect compensation for my federal-privilege-connected activities of exercising a "trade or business" in 2012.

I expect a full and complete refund within 30 days on my 2012 return as dictated in the IRC Sec. 301.6402-3(a)(1)(5) and Sec. 6402(a).

Under penalties of perjury, I declare that I examined the facts stated in this letter, including any accompanying documents, and, to the best of my knowledge and belief, they are true, correct, and complete.

Sincerely,

Gary

Date 10-24-2013

07 Enclosures

**Amended U.S. Individual Income Tax Return**

(Rev. December 2012)

Information about Form 1040X and its separate instructions is at [www.irs.gov/form1040x](http://www.irs.gov/form1040x).

This return is for calendar year  2012  2011  2010  2009  
 Other year. Enter one: calendar year or fiscal year (month and year ended):

Your first name and initial <b>GARY</b>	Last name <b>Di</b>	Your social security number
If a joint return, spouse's first name and initial	Last name	Spouse's social security number
Home address (number and street). If you have a P.O. box, see instructions.		Apt. no. Your phone number
City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).		
<b>METAIRIE, LA 700</b>	Foreign province/state/county	Foreign postal code

**Amended return filing status.** You must check one box even if you are not changing your filing status.  
**Caution.** In general, you cannot change your filing status from joint to separate returns after the due date.

- Single  Married filing jointly  Married filing separately  
 Qualifying widow(er)  Head of household (If the qualifying person is a child but not your dependent, see instructions.)

Use Part III on the back to explain any changes

		A. Original amount or as previously adjusted (see instructions)	B. Net change—amount of increase or (decrease)—explain in Part III	C. Correct amount
<b>Income and Deductions</b>				
1 Adjusted gross income. If net operating loss (NOL) carryback is included, check here <input type="checkbox"/>	1	130,196	(47,451)	82,745
2 Itemized deductions or standard deduction	2	12,889	0	12,889
3 Subtract line 2 from line 1	3	117,307	(47,451)	69,856
4 Exemptions. If changing, complete Part I on page 2 and enter the amount from line 30	4	3,800	0	3,800
5 Taxable income. Subtract line 4 from line 3	5	113,507	(47,451)	66,056
<b>Tax Liability</b>				
6 Tax. Enter method used to figure tax: <b>2012 Tax Table - Single filer</b>	6	19,866	(7,317)	12,549
7 Credits. If general business credit carryback is included, check here <input type="checkbox"/>	7	0	0	0
8 Subtract line 7 from line 6. If the result is zero or less, enter -0-	8	19,866	(7,317)	12,549
9 Other taxes	9	0	0	0
10 Total tax. Add lines 8 and 9	10	19,866	(7,317)	12,549
<b>Payments</b>				
11 Federal income tax withheld and excess social security and tier 1 RRTA tax withheld (if changing, see instructions)	11	13,204	0	13,204
12 Estimated tax payments, including amount applied from prior year's return	12	1,600	0	1,600
13 Earned income credit (EIC)	13	0	0	0
14 Refundable credits from Schedule(s) <input type="checkbox"/> 8812 or <input type="checkbox"/> M or Form(s) <input type="checkbox"/> 2439 <input type="checkbox"/> 4136 <input type="checkbox"/> 5405 <input type="checkbox"/> 8801 <input type="checkbox"/> 8812 (2009-2011) <input type="checkbox"/> 8839 <input type="checkbox"/> 8863 <input type="checkbox"/> 8885 or <input type="checkbox"/> other (specify):	14	0	0	0
15 Total amount paid with request for extension of time to file, tax paid with original return, and additional tax paid after return was filed	15			4,258
16 Total payments. Add lines 11 through 15	16			19,062
<b>Refund or Amount You Owe (Note. Allow 8-12 weeks to process Form 1040X.)</b>				
17 Overpayment, if any, as shown on original return or as previously adjusted by the IRS	17			0
18 Subtract line 17 from line 16 (if less than zero, see instructions)	18			19,062
19 Amount you owe. If line 10, column C, is more than line 18, enter the difference	19			0
20 If line 10, column C, is less than line 18, enter the difference. This is the amount overpaid on this return	20			6,513
21 Amount of line 20 you want refunded to you	21			6,513
22 Amount of line 20 you want applied to your (enter year): 0 estimated tax . 22 0	22			

Complete and sign this form on Page 2.

**Part I Exemptions**

Complete this part **only** if you are:

- Increasing or decreasing the number of exemptions (personal and dependents) claimed on line 6d of the return you are amending, or
- Increasing or decreasing the exemption amount for housing individuals displaced by a Midwestern disaster in 2009.

See Form 1040 or Form 1040A instructions and Form 1040X instructions.

	A. Original number of exemptions or amount reported or as previously adjusted	B. Net change	C. Correct number or amount
23 Yourself and spouse. <b>Caution.</b> If someone can claim you as a dependent, you cannot claim an exemption for yourself . . . . .	23		
24 Your dependent children who lived with you . . . . .	24		
25 Your dependent children who did not live with you due to divorce or separation . . . . .	25		
26 Other dependents . . . . .	26		
27 Total number of exemptions. Add lines 23 through 26 . . . . .	27		
28 Multiply the number of exemptions claimed on line 27 by the exemption amount shown in the instructions for line 28 for the year you are amending . . . . .	28		
29 If you are claiming an exemption amount for housing individuals displaced by a Midwestern disaster, enter the amount from Form 8914, line 6 for 2009 . . . . .	29		
30 Add lines 28 and 29. Enter the result here and on line 4 on page 1 of this form . . . . .	30		
31 List <b>ALL</b> dependents (children and others) claimed on this amended return. If more than 4 dependents, see instructions.			

(a) First name	Last name	(b) Dependent's social security number	(c) Dependent's relationship to you	(d) Check box if qualifying child for child tax credit (see instructions)
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

**Part II Presidential Election Campaign Fund**

Checking below will not increase your tax or reduce your refund.

- Check here if you did not previously want \$3 to go to the fund, but now do.
- Check here if this is a joint return and your spouse did not previously want \$3 to go to the fund, but now does.

**Part III Explanation of changes.** In the space provided below, tell us why you are filing Form 1040X.

▶ Attach any supporting documents and new or changed forms and schedules.

Lines 1, 3, 5, 6, 8 and 10 have been changed to reflect the attached correcting information returns, IRS Forms 1099-DIV, 1099-MISC, 1099-INT and 1099-B. The correcting 1099s (copies of the originals) are submitted to rebut the original 1099s which should not have been submitted as they erroneously allege payments connected with the performance of a public office. No payments were received by the party identified hereon as "the recipient" from the parties identified hereon as "the payer" which were connected with the performance of the functions of a public office as defined in 26 U.S.C. 7701(a)(26), or otherwise constituted gains, profit or income within the meaning of relevant law.

**Sign Here**

Remember to keep a copy of this form for your records.

Under penalties of perjury, I declare that I have filed an original return and that I have examined this amended return, including accompanying schedules and statements, and to the best of my knowledge and belief, this amended return is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information about which the preparer has any knowledge.

Your signature \_\_\_\_\_ Date 10-24-2013 Spouse's signature. If a joint return, both must sign. \_\_\_\_\_ Date \_\_\_\_\_

**Paid Preparer Use Only**

Preparer's signature \_\_\_\_\_ Date \_\_\_\_\_ Firm's name (or yours if self-employed) \_\_\_\_\_

Print/type preparer's name \_\_\_\_\_ Firm's address and ZIP code \_\_\_\_\_

Check if self-employed PTIN \_\_\_\_\_ Phone number \_\_\_\_\_ EIN \_\_\_\_\_

RE: Amended 2012 Tax Return - IRS Form 1040

October 24, 2013

Sent via Certified USPS Mail: 7013 1710 0001 2426

National Financial Services LLC  
Federal ID Number 04-3523567  
2012 Tax Reporting Statement  
Account No.

The attached correcting 2012 Tax Reporting Statement (four pages), which includes Forms 1099-DIV, 1099-INT and 1099-B, is submitted to rebut a document known to have been submitted by the party identified thereon as "PAYER" which erroneously alleges payments to the party identified thereon as the "RECIPIENT" of "gains, profits or income" made in the course of a "trade or business" within the meaning of relevant law.

Under penalties of perjury, I declare that I have examined this statement and to the best of my knowledge and belief, it is true, correct and complete.

  
\_\_\_\_\_  
Gary D

10-24-2013  
Date



FIDELITY BROKERAGE SERVICES LLC  
PO BOX 673000  
DALLAS, TX 75267-3000

# 2012 TAX REPORTING STATEMENT

GARY D.

Customer Service: 800-544-6666  
Payer's Fed ID Number: 04-3523567

eDelivered

Payer's Name and Address:  
NATIONAL FINANCIAL SERVICES LLC  
499 WASHINGTON BLVD  
JERSEY CITY, NJ 07310

## Form 1099-DIV \* 2012 Dividends and Distributions

Copy B for Recipient  
(OMB NO. 1545-0110)

1a Total Ordinary Dividends	2,873.96	0
1b Qualified Dividends	2,929.69	0
2a Total Capital Gain Distributions (Includes 2b - 2d)	0.00	0.00
2b Capital Gains that represent Unrecaptured 1250 Gain	0.00	0.00
2c Capital Gains that represent Section 1202 Gain	0.00	0.00
2d Capital Gains that represent Collectibles (28%) Gain	0.00	0.00
3 Nondividend Distributions	0.00	0.00
4 Federal Income Tax Withheld	0.00	0.00
5 Investment Expenses	0.00	0.00
6 Foreign Tax Paid	296.76	0
7 Foreign Country or U.S. Possession	Various	0
8 Cash Liquidation Distributions	0.00	0.00
9 Non-Cash Liquidation Distributions	0.00	0.00
10 Exempt Interest Dividends	0.00	0.00
11 Specified Private Activity Bond Interest Dividends	0.00	0.00
12 State 13 State Identification No.	0.00	0.00
14 State Tax Withheld	0.00	0.00

## Form 1099-MISC \* 2012 Miscellaneous Income

Copy B for Recipient  
(OMB NO. 1545-0115)

2 Royalties	0.00
4 Federal Income Tax Withheld	0.00
8 Substitute Payments in Lieu of Dividends or Interest	0.00
16 State Tax Withheld	0.00
17 State/Payer's State No.	0.00
18 State Income	0.00

## Form 1099-INT \* 2012 Interest Income

Copy B for Recipient  
(OMB NO. 1545-0112)

1 Interest Income	0.44	0
2 Early Withdrawal Penalty	0.00	0.00
3 Interest on U.S. Savings Bonds and Treas. Obligations	0.00	0.00
4 Federal Income Tax Withheld	0.00	0.00
5 Investment Expenses	0.00	0.00
6 Foreign Tax Paid	0.00	0.00
7 Foreign Country or U.S. Possession	0.00	0.00
8 Tax-Exempt Interest	0.00	0.00
9 Specified Private Activity Bond Interest	0.00	0.00
10 Tax-Exempt Bond CUSIP no.	0.00	0.00

### Summary of 2012 Proceeds From Broker and Barter Exchange Transactions

Sales Price of Stocks, Bonds etc	3,767.40	0
Federal Income Tax Withheld	0.00	0.00

Gross Proceeds from each of your security transactions are reported individually to the IRS. Refer to the Form 1099-B section of this statement. Report gross proceeds individually for each security on the appropriate IRS tax return. Do not report gross proceeds in aggregate.

### Summary of 2012 Original Issue Discount

Total Original Issue Discount	0.00
Total Original Issue Discount on U.S. Treasury Obligations	0.00
Original Issue Discount (OID) amounts are reported individually to the IRS. Refer to the Form 1099-OID pages in this statement, if applicable.	

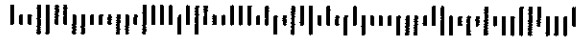
This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.



Department of the Treasury  
Internal Revenue Service  
Philadelphia, PA 19255-0025



<b>Notice</b>	
<b>Tax Year</b>	2012
<b>Notice date</b>	December 23, 2013
<b>Social Security number</b>	
<b>To contact us</b>	1-800-829-0922
<b>Your Caller ID</b>	
Page 1 of 2	



GARY F D

METAIRIE LA 70C

004576

Changes to your 2012 Form 1040

## Refund due: \$6,513.00

We made the changes you requested to your 2012 Form 1040 to adjust your interest and/or dividend income.

As a result, you are due a refund of \$6,513.00.

### Summary

Decrease in tax	\$-6,513.00
<b>Refund due</b>	<b>\$6,513.00</b>

### What you need to do

#### If you agree with the changes we made

- If you haven't already received a refund for \$6,513.00, you should receive it within 2-3 weeks as long as you don't owe other tax or debt we're required to collect.

Continued on back...



GARY F

METAIRIE LA

<b>Notice</b>	C
<b>Notice date</b>	December 23, 2013
<b>Social Security number</b>	



### Contact information

If your address has changed, please call 1-800-829-0922 or visit [www.irs.gov](http://www.irs.gov).

- Please check here if you've included any correspondence. Write your Social Security number \_\_\_\_\_ the tax year (2012), and the form number (1040) on any correspondence.

Primary phone	Best time to call	Secondary phone	Best time to call
	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.

INTERNAL REVENUE SERVICE  
PHILADELPHIA, PA 19255-0025

