[redacted]

October 15, 2013

Affidavit of Non "Federally Privileged" Statement

Department of The Treasury
Internal Revenue Service
Kansas City MO 64999-0002

Dear Sir or Madam,

This document serves to answer for myself, James [redacted], recipient of a W-2, and as the President o[redacted], Inc. (ID#[redacted]), the issuer of the W-2, items No. 9 and 10 on the accompanying Form 4852- Substitute for Form W-2 for the Tax Year ending 12-31-12.

Item #9
The income amount of zero is ascertained by the fact that [redacted], Inc. is not involved in any Federally privileged activity including any "trade or business" or the "performance of the functions of a public office" as defined in IRC Sec. 7701(a)(26). In turn, my service to [redacted], Inc. is not so privileged. Therefore my work and labor does not constitute "wages" or "compensation" as defined in the IRC, so the excise tax does not apply.

Item # 10
As [redacted], Inc. is my payer, and I am the President of the company, the issuing of W-2s is my responsibility. The incorrect W-2 was formed in my ignorance of the law and thus must now be corrected.

I attest, under penalty of perjury, that to the best of my knowledge and belief this document is true, correct and complete.

W-2 Recipient and President of [redacted], Inc. Date

Form 1040 U.S. Individual Income Tax Return 2012

Department of the Treasury—Internal Revenue Service (99) | OMB No. 1545-0074 | IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2012, or other tax year beginning , 2012, ending , 20 | See separate instructions.

Your first name and initial: JAMES [redacted]	Last name [redacted]	Your social security number [redacted]
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. [redacted]	Apt. no.	▲ Make sure the SSN(s) above and on line 6c are correct.
City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions). [redacted]		Presidential Election Campaign: Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. ☐ You ☐ Spouse
Foreign country name	Foreign province/state/county	Foreign postal code

Filing Status Check only one box.

1 ☒ Single
2 ☐ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above and full name here. ▶
4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
5 ☐ Qualifying widow(er) with dependent child

Exemptions

6a ☒ Yourself. If someone can claim you as a dependent, do not check box 6a . . . . Boxes checked on 6a and 6b: 1
b ☐ Spouse . . . .

c Dependents:

(1) First name / Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax credit (see instructions)
			☐
			☐
			☐
			☐

If more than four dependents, see instructions and check here ▶ ☐

No. of children on 6c who: • lived with you • did not live with you due to divorce or separation (see instructions)

Dependents on 6c not entered above

Add numbers on lines above ▶ 1

d Total number of exemptions claimed . . . . .

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

Enclose, but do not attach, any payment. Also, please use Form 1040-V.

7	Wages, salaries, tips, etc. Attach Form(s) W-2		7 0
8a	Taxable interest. Attach Schedule B if required		8a 0
b	Tax-exempt interest. Do not include on line 8a	8b	
9a	Ordinary dividends. Attach Schedule B if required		9a
b	Qualified dividends	9b	
10	Taxable refunds, credits, or offsets of state and local income taxes		10
11	Alimony received		11
12	Business income or (loss). Attach Schedule C or C-EZ		12
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ ☐		13
14	Other gains or (losses). Attach Form 4797		14
15a	IRA distributions 15a	b Taxable amount	15b
16a	Pensions and annuities 16a	b Taxable amount	16b
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E		17
18	Farm income or (loss). Attach Schedule F		18
19	Unemployment compensation		19
20a	Social security benefits 20a	b Taxable amount	20b
21	Other income. List type and amount		21
22	Combine the amounts in the far right column for lines 7 through 21. This is your total income ▶		22 0

Adjusted Gross Income

23	Educator expenses	23	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	
25	Health savings account deduction. Attach Form 8889	25	
26	Moving expenses. Attach Form 3903	26	
27	Deductible part of self-employment tax. Attach Schedule SE	27	
28	Self-employed SEP, SIMPLE, and qualified plans	28	
29	Self-employed health insurance deduction	29	
30	Penalty on early withdrawal of savings	30	
31a	Alimony paid b Recipient's SSN ▶	31a	
32	IRA deduction	32	
33	Student loan interest deduction	33	
34	Tuition and fees. Attach Form 8917	34	
35	Domestic production activities deduction. Attach Form 8903	35	
36	Add lines 23 through 35		36 0
37	Subtract line 36 from line 22. This is your adjusted gross income ▶		37 0

JAMES 2012 1040

Form 1040 (2012) Page 2

Tax and Credits	38	Amount from line 37 (adjusted gross income)		38	0
	39a	Check if: ☐ You were born before January 2, 1948, ☐ Blind. ☐ Spouse was born before January 2, 1948, ☐ Blind. Total boxes checked ▶ 39a			
Standard Deduction for— • People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions. • All others: Single or Married filing separately, $5,950 Married filing jointly or Qualifying widow(er), $11,900 Head of household, $8,700	b	If your spouse itemizes on a separate return or you were a dual-status alien, check here ▶ 39b ☐			
	40	Itemized deductions (from Schedule A) or your standard deduction (see left margin)		40	5950 00
	41	Subtract line 40 from line 38		41	(5950 00)
	42	Exemptions. Multiply $3,800 by the number on line 6d		42	3800 00
	43	Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-		43	0
	44	Tax (see instructions). Check if any from: a ☐ Form(s) 8814 b ☐ Form 4972 c ☐ 962 election		44	0
	45	Alternative minimum tax (see instructions). Attach Form 6251		45	
	46	Add lines 44 and 45 ▶		46	0
	47	Foreign tax credit. Attach Form 1116 if required	47		
	48	Credit for child and dependent care expenses. Attach Form 2441	48		
	49	Education credits from Form 8863, line 19	49		
	50	Retirement savings contributions credit. Attach Form 8880	50		
	51	Child tax credit. Attach Schedule 8812, if required	51		
	52	Residential energy credits. Attach Form 5695	52		
	53	Other credits from Form: a ☐ 3800 b ☐ 8801 c ☐	53		
	54	Add lines 47 through 53. These are your total credits		54	0
	55	Subtract line 54 from line 46. If line 54 is more than line 46, enter -0- ▶		55	0
Other Taxes	56	Self-employment tax. Attach Schedule SE		56	0
	57	Unreported social security and Medicare tax from Form: a ☐ 4137 b ☐ 8919		57	0
	58	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required		58	0
	59a	Household employment taxes from Schedule H		59a	0
	b	First-time homebuyer credit repayment. Attach Form 5405 if required		59b	0
	60	Other taxes. Enter code(s) from instructions		60	0
	61	Add lines 55 through 60. This is your total tax ▶		61	0
Payments	62	Federal income tax withheld from Forms W-2 and 1099	62	780 00	
If you have a qualifying child, attach Schedule EIC.	63	2012 estimated tax payments and amount applied from 2011 return	63	1560	
	64a	Earned income credit (EIC)	64a	0	
	b	Nontaxable combat pay election 64b			
	65	Additional child tax credit. Attach Schedule 8812	65	0	
	66	American opportunity credit from Form 8863, line 8	66	0	
	67	Reserved	67		
	68	Amount paid with request for extension to file	68	0	
	69	Excess social security and tier 1 RRTA tax withheld	69	0	
	70	Credit for federal tax on fuels. Attach Form 4136	70	0	
	71	Credits from Form: a ☐ 2439 b ☐ Reserved c ☐ 8801 d ☐ 8885	71	0	
	72	Add lines 62, 63, 64a, and 65 through 71. These are your total payments ▶		72	2340 00
Refund	73	If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you overpaid		73	2340 00
	74a	Amount of line 73 you want refunded to you. If Form 8888 is attached, check here ▶ ☐		74a	2340 00
Direct deposit? See instructions.	▶ b	Routing number ▶ c Type: ☐ Checking ☐ Savings			
	▶ d	Account number			
	75	Amount of line 73 you want applied to your 2013 estimated tax ▶ 75			
Amount You Owe	76	Amount you owe. Subtract line 72 from line 61. For details on how to pay, see instructions ▶		76	0
	77	Estimated tax penalty (see instructions) 77			

Third Party Designee Do you want to allow another person to discuss this return with the IRS (see instructions)? ☐ Yes. Complete below. ☐ No

Designee's name ▶ Phone no. ▶ Personal identification number (PIN) ▶

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

Joint return? See instructions. Keep a copy for your records.

Your signature	Date	Your occupation	Daytime phone number
[redacted]	10-11-13	LANDSCAPE GARDENER	[redacted]
Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation	If the IRS sent you an Identity Protection PIN, enter it

Form **4852**
(Rev. August 2013)
Department of the Treasury
Internal Revenue Service

Substitute for Form W-2, Wage and Tax Statement, or Form 1099-R, Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.

▶ Attach to Form 1040, 1040A, 1040-EZ, or 1040X.
▶ Information about Form 4852 is available at www.irs.gov/form4852.

OMB No. 1545-0074

1 Name(s) shown on return: JAMES [redacted]

2 Your social security number: [redacted]

3 Address: [redacted]

4 Enter year in space provided and check one box. For the tax year ending December 31, _____,
I have been unable to obtain (or have received an incorrect) ☒ Form W-2 OR ☐ Form 1099-R.
I have notified the IRS of this fact. The amounts shown on line 7 or line 8 are my best estimates for all wages or payments made to me and tax withheld by my employer or payer named on line 5.

5 Employer's or payer's name, address, and ZIP code: [redacted] INC

6 Employer's or payer's identification number (if known): [redacted]

7 Form W-2. Enter wages, tips, other compensation, and taxes withheld.

a Wages, tips, and other compensation	0	g State income tax withheld	$ 457.60
b Social security wages	0	(Name of state) NY	
c Medicare wages and tips	0	h Local income tax withheld	0
d Advance EIC payment	0	(Name of locality)	
e Social security tips	0	i Social security tax withheld	$ 873.60
f Federal income tax withheld	$ 780.00	j Medicare tax withheld	$ 301.60

8 Form 1099-R. Enter distributions from pensions, annuities, retirement/profit-sharing plans, IRAs, insurance contracts, etc.

a Gross distribution		f Federal income tax withheld	
b Taxable amount		g State income tax withheld	
c Taxable amount not determined	☐	h Local income tax withheld	
d Total distribution	☐	i Employee contributions	
e Capital gain (included in line 8b)		j Distribution codes	

9 How did you determine the amounts on lines 7 and 8 above?
SEE AFFIDAVIT

10 Explain your efforts to obtain Form W-2, Form 1099-R, or Form W-2c, Corrected Wage and Tax Statement.
SEE AFFIDAVIT

Sign Here

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.

Signature ▶ [redacted] Date ▶ 10-15-13