



TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

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

201218036

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*** ***** ** *****

In re: Request for Waiver of the Minimum Funding Standard for *** *****

EIN: *****

Company = *****

Plan = *****

Dear *** *****:

This letter constitutes notice that a waiver of the required minimum funding contribution for the Plan for the plan year ending June , 20 is denied.

The Company is a law firm that practices primarily in the areas of torts and insurance litigation.

Section 412(c) of the Internal Revenue Code provides that a waiver of the minimum required contribution may be granted if an employer is unable to satisfy the minimum funding standard for a plan year without temporary substantial business hardship, and application of the standard would be adverse to the interests of plan participants in the aggregate. The factors taken into account in determining temporary substantial business hardship include (but are not limited to) whether or not the employer is operating at an economic loss, there is substantial unemployment or underemployment in the trade or business and in the industry concerned, the sales and profits of the industry concerned are depressed or declining, and it is reasonable to expect that the plan will be continued only if the waiver is granted.

After considering all financial information the Company has supplied, we have determined that the Company's financial situation did not meet the standard to grant a waiver of the minimum funding standard. Furthermore, the Company's submission shows that it had increased compensation to its equity partners by a significant amount during the plan year at issue. The amount of the increase was greater than the minimum required contribution for the plan year ending June , 20 . Therefore, your request for a waiver of the minimum funding standard for the plan year ending June ,

