

**CONSTRUCTIVE NOTICE OF CONDITIONAL ACCEPTANCE**

John Henry Doe  
c/o Sally Smith, Notary Public  
123 Main Street  
Fountain Valley, California 92708

Certified Mail # 7000 0000 0000 0000 1001

June 29, 2009

**INTERNAL REVENUE SERVICE**

Attn: Maureen Green  
Employee I.D. No. 29-12033  
1973 North Rulon White Blvd.  
Ogden, UT 84404-7843

Subject: Your Letter 3176C dated June 10, 2009

Dear Ms. Green:

I am in receipt of your Letter 3176C dated June 10, 2009 and received on or about June 18, 2009, a copy of which is enclosed. I am conditionally accepting your offer in that letter of filing a corrected return upon proof of claim that:

- (1) the 2008 Form 1040, individual income tax return, is based on a position identified as frivolous under I.R.C. §6702(c), AND
- (2) the 2008 Form 1040 reflects a desire to delay or impede the administration of federal tax laws, AND
- (3) there are any defects contained within the 2008 Form 1040, AND
- (4) there are any defects contained within the 2008 Forms 1099-OID, original issue discount, information returns attached to the 2008 Form 1040.

Ms. Green, you have thirty (30) days from receipt of this Conditional Acceptance to respond on a point-by-point basis, via sworn affidavit, under your full commercial liability, signing under penalty of perjury that the facts contained therein are true, correct, complete and not misleading. Mere declarations are an insufficient response. If an extension of time is needed to properly answer, please request it in writing. Failure to respond will be deemed agreement with the facts stated in the attached Affidavit and an inability to prove your claim, thereby indicating that the 2008 Form 1040 and the 2008 Forms 1099-OID are true, correct, and complete.

This letter constitutes constructive notice to the recipient.

Sincerely,

John Henry Doe

**Please direct responses to third party public witness:**

Sally Smith, Notary Public  
123 Main Street  
Fountain Valley, California 92708

Enclosure(s):

- (1) Commercial Affidavit dated June 29, 2009
- (2) Letter 3176C dated June 10, 2009
- (3) Notary's Certificate of Service dated June 29, 2009

**COMMERCIAL AFFIDAVIT**

The undersigned Affiant, John Henry Doe, hereinafter "Affiant", does solemnly swear, declare and state as follows:

- 1. Affiant is competent to state the matters set forth herein.
- 2. Affiant has knowledge of the facts stated herein.
- 3. All the facts herein are true, correct and complete, admissible as evidence and if called upon as a witness, Affiant will testify to their veracity.

**Plain Statement of Facts**

- 4. There is no evidence that JOHN H DOE, hereinafter "Taxpayer", has taken a position identified as frivolous under I.R.C. §6702(c) and Affiant believes that no such evidence exists.
- 5. There is no evidence that the Taxpayer's 2008 IRS Form 1040 reflects a desire to delay or impede the administration of federal tax laws and Affiant believes that no such evidence exists.
- 6. There is no evidence of a defect in the 2008 IRS Form 1040 submitted to the Internal Revenue Service on or about March 18, 2009 for the Taxpayer and Affiant believes that no such evidence exists.
- 7. There is no evidence of a defect in the 2008 IRS Forms 1099-OID submitted to the Internal Revenue Service on or about March 18, 2009 for the Taxpayer and Affiant believes that no such evidence exists.

IN WITNESS WHEREOF I hereunto set my hand and seal on this 29th day of June, 2009 and hereby certify all the statements made above are true, correct and complete.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
John Henry Doe

**JURAT**

State of California        )  
                                          ) ss:  
County of Orange         )

Subscribed and sworn to (or affirmed) before me on this 29th day of June, 2009, by John Henry Doe, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

(seal)

\_\_\_\_\_  
Signature

**NOTARY'S CERTIFICATE OF SERVICE**

It is hereby certified, that on the date noted below, the undersigned Notary Public mailed to:

**INTERNAL REVENUE SERVICE**  
**Attn: Maureen Green M/S 4450**  
1973 North Rulon White Blvd.  
Ogden, UT 84404-7843

hereinafter, "Recipient," the documents and sundry papers pertaining to a certain Letter 3176C regarding JOHN H DOE as follows:

- 1. **CONSTRUCTIVE NOTICE OF CONDITIONAL ACCEPTANCE**, issued by John Henry Doe and dated June 29, 2009; and
- 2. **COMMERCIAL AFFIDAVIT**, issued by John Henry Doe and dated June 29, 2009; and
- 3. **Letter 3176C from Maureen Green of INTERNAL REVENUE SERVICE**, dated on or about June 10, 2009; and
- 4. reference copy of this **Notary's Certificate of Service** (signed original on file)

by Certified Mail No. 7000 0000 0000 0000 1001 Return Receipt attached by placing same in a postpaid envelope properly addressed to Recipient at the said address and depositing same at an official depository under the exclusive face and custody of the U.S. Postal Service within the State of California.

|               |               |        |
|---------------|---------------|--------|
|               | June 29, 2009 | (Seal) |
| NOTARY PUBLIC | DATE          |        |

|                                        |         |
|----------------------------------------|---------|
| My commission expires: August 24, 2010 | (Stamp) |
|----------------------------------------|---------|

Sally Smith, Notary Public  
123 Main Street  
Fountain Valley, California 92708