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### **INFORMATION ABOUT THE H&R BLOCK TAX SOFTWARE PROGRAM**

H&R Block Tax Software W-2 Early Access<sup>SM</sup> and Smart Import<sup>SM</sup> are electronic means of accessing your W-2 for pick up in an H&R Block retail office or download into H&R Block Tax Software tax preparation software, respectively. The general terms and conditions for using the H&R Block Tax Software program are contained within H&R Block Tax Software's Terms and Conditions. You should read those Terms and conditions carefully.

### **CUSTOMER STATUS; INQUIRIES**

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### **PRIVACY**

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## **DISCLAIMER OF WARRANTY AND LIMITATION OF LIABILITY**

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## **TAX MATTERS**

MORGAN STANLEY DOES NOT PROVIDE TAX ADVICE. IT IS IMPORTANT THAT YOU CONSULT A PROFESSIONAL TAX ADVISOR REGARDING YOUR INDIVIDUAL TAX SITUATION. IT IS IMPORTANT TO UNDERSTAND THAT THE TAX INFORMATION IMPORTED FROM MORGAN STANLEY ONLINE TO H&R BLOCK TAX SOFTWARE PRODUCTS MAY NOT BE ALL OF THE INFORMATION REQUIRED FOR YOU TO PROPERLY COMPLETE THE INVESTMENT INCOME PORTION OF YOUR FEDERAL AND/OR STATE TAX RETURN. IT IS ESSENTIAL THAT YOU COMPLETE THE H&R BLOCK TAX SOFTWARE INTERVIEW AND/OR REVIEW PROCESSES IN THEIR ENTIRETIES TO ENSURE THAT YOUR TAX INFORMATION IS CORRECTLY REPORTED TO THE IRS AND/OR THE STATE(S) TO WHICH YOU REPORT.

BE SURE TO VERIFY THE INFORMATION THAT YOU IMPORT WITH YOUR OWN RECORDS IN ORDER TO ENSURE ACCURATE AND COMPLETE REPORTING OF ALL REQUIRED TAX INFORMATION ON YOUR FEDERAL AND/OR STATE TAX RETURN(S). ALTHOUGH MORGAN STANLEY IS PROVIDING THE TAX INFORMATION IMPORT AS AN ADDITIONAL SERVICE, MORGAN STANLEY DOES NOT GUARANTEE THAT THE INFORMATION PROVIDED IS SUFFICIENT FOR TAX REPORTING PURPOSES, AND MORGAN STANLEY IS NOT LIABLE FOR YOUR RELIANCE UPON OR USE OF THE IMPORT FEATURE OR THE DATA PROVIDED THROUGH SUCH FEATURE. IF YOU HAVE SPECIFIC QUESTIONS REGARDING THE PREPARATION OF YOUR TAX RETURN, CONTACT YOUR TAX ADVISOR, THE IRS, OR THE STATE(S) TO WHICH YOU REPORT.

### **Carefully Review All Information You Import With Your Records**

With respect to Morgan Stanley Online clients, unless we otherwise notify you in writing, any information provided through the Site shall not be deemed to supersede or replace your Morgan Stanley 1099 tax forms or any "Corrected" Morgan Stanley 1099 tax forms. In certain instances, the imported data may not accurately reflect the information needed for tax reporting.

Be sure to compare the data you import into the H&R Block Tax Software program or request for download and pick up in an H&R Block retail office against the printed Morgan Stanley 1099 tax forms, as you may be required to modify, delete or otherwise act upon some or all of the information that you import from Morgan Stanley Online. Certain information may be imported;

however, you may be required to make an affirmative choice as to how it should be accounted for on your federal tax return.

### **H&R Block Tax Software Interview/Review**

It is important to understand that the tax information imported from Morgan Stanley Online to your H&R Block Tax Software return may not be all of the information required for you to properly complete the investment income portion of your tax return. It is essential that you complete the H&R Block Tax Software interview and/or review processes in their entirety to ensure that all Morgan Stanley Online information is correctly reported to the IRS and/or the state(s) to which you report. Be sure to verify the information that you import with your own records in order to ensure accurate and complete reporting of all required tax information on your federal and/or state tax return(s). Although Morgan Stanley is providing the tax information import as an additional service, Morgan Stanley does not guarantee that the information provided is sufficient for tax reporting purposes, and Morgan Stanley is not liable for your reliance upon or use of the import feature or the data provided through such feature. If you have specific questions regarding the preparation of your tax return, contact your tax advisor, the IRS or the state(s) to which you report.

### **About the Import Data**

Your imported tax data is based on information known to Morgan Stanley and relates only to accounts that are registered with Morgan Stanley Online. The data is periodically updated to reflect adjustments as indicated on any subsequent "Corrected" Morgan Stanley 1099 tax forms. Morgan Stanley supports the import of data from IRS Forms 1099-DIV, 1099-INT, 1099-OID, 1099-MISC, 1099-B, and 1099-R. The imported data may not include all adjustments or information necessary in the preparation of your tax return. Morgan Stanley provides the following information sources to help you complete your tax return. We recommend that you read the following information:

- Morgan Stanley H&R Block Tax Software Frequently Asked Questions
- A Guide to Your 1099 Consolidated Tax Statement included with your 1099 Consolidated Tax Statement

The import data containing your tax information is subject to amendment and, if applicable, Morgan Stanley will issue you "corrected" Morgan Stanley 1099 tax forms.

### **Alternative Minimum Tax**

Your tax liability could be affected by interest received from private activity bonds. Private activity bond interest is reported on Form 1099-INT, box 9. If applicable to your account, you will be required to enter interest derived from private activity bonds on Form 6251. Consult your tax advisor and IRS Instructions for Form 6251 (Alternative Minimum Tax for Individuals).

## **Cost Basis**

New regulations concerning the reporting of cost basis to the Internal Revenue Service (IRS) were issued in October 2010. The regulations stem from legislation, enacted in October 2008 as part of the Emergency Economic Stabilization Act, which requires financial services companies to report cost basis information to both investors and the IRS as part of Tax Form 1099-B. Form 8949 has replaced Schedule D-1. Complete Form 8949 Sales and Other Dispositions of Capital Assets before completing Schedule D. Use Form 8949 to list all capital gain and loss transactions; the subtotals from this form will then be carried over to Schedule D (Form 1040)

Cost basis represents what you paid for your security, generally, the purchase price, subject to certain adjustments. You must determine cost basis to calculate the reportable capital gain/loss from the sales of your securities.

Morgan Stanley provides cost basis information for covered and noncovered securities in the H&R Block Tax Software download to our clients. However, this information may be missing or not reflect all adjustments which need to be made in order to accurately report gains or losses for tax reporting purposes. Morgan Stanley may not adjust cost basis for all events, including, without limitation, accretion of market discount on non municipal securities (unless you have advised Morgan Stanley otherwise), exercise of stock options, securities deemed to have been sold and simultaneously repurchased, receipt of cash in lieu of fractional shares and the net effect of wash sales and/or short sales against the box. Bond premium amortization on taxable fixed income securities is adjusted automatically unless you have advised Morgan Stanley not to amortize. For securities not purchased through Morgan Stanley, including securities purchased elsewhere and later transferred to Morgan Stanley, cost basis information is either missing or has been supplied by you or your Financial Advisor, or has been entered by you directly into Morgan Stanley Online, and Morgan Stanley has no responsibility for such information.

You should verify the cost basis and acquisition date information provided in the download against your own records when determining the appropriate cost basis and acquisition date to be used. If the cost basis and/or acquisition date that was downloaded does not match your records or is missing, H&R Block Tax Software will allow you to modify any of the information which was downloaded from Morgan Stanley.

Even though Morgan Stanley provides the cost basis for covered and noncovered securities and acquisition date information, except for regulated futures contracts, associated with items on IRS Form 1099-B (Proceeds from Broker and Barter Exchange Transactions), it is the client's responsibility to verify and reconcile the cost basis and acquisition date information with the items on IRS Form 1099-B. Morgan Stanley will report only the proceeds, not the gain/loss information associated with IRS Form 1099-B to the IRS.

The cost basis and acquisition date information in the download is derived from transactions

processed through Morgan Stanley or information supplied by you. Morgan Stanley liquidates the position you acquired earliest first ("first in, first out," or "FIFO," method) unless you have instructed us otherwise.

Consult your tax advisor about IRS Form 8949 before completing Schedule D (Capital Gains and Losses). For additional information see the instructions for both forms.

### **Cost Basis Supplied by the Client**

The cost basis supplied in the H&R Block Tax Software download may include cost basis provided by you, the client. Morgan Stanley is not responsible for the reporting of cost basis information for which the client supplied the cost basis information. Morgan Stanley provides cost basis and acquisition date information in the H&R Block Tax Software download to our clients. However, this information may be missing or may not reflect all adjustments which need to be made in order to accurately report gains or losses for tax reporting purposes. You should verify the cost basis and acquisition date information provided in the download against your own records when determining the appropriate cost basis and acquisition date to be used when calculating gains and losses for tax reporting purposes. H&R Block Tax Software will allow you to modify any of the information which was downloaded from Morgan Stanley. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Cost Basis Calculation Methods**

Morgan Stanley provides cost basis and acquisition date information to our clients as required under law for the new cost basis regulations for both covered securities and noncovered securities. However, this information may not reflect all adjustments which need to be made in order to accurately report gains or losses for tax reporting purposes. Morgan Stanley generally liquidates positions using the "first in, first out," or "FIFO" method, unless you have instructed us otherwise. You should verify the cost basis and acquisition date information provided in the download against your own records when determining the appropriate cost basis and acquisition date to be used when calculating gains and losses for tax reporting purposes.

If at any time you have used other methods for tracking and/or reporting cost basis for securities held in your account, you must use your own records for tax reporting purposes for those securities and cannot rely on the data supplied in the H&R Block Tax Software download. H&R Block Tax Software will allow you to modify any of the information which was downloaded from Morgan Stanley.

If you have identified a specific tax lot of a security to be liquidated, at the time the trade was placed, that tax lot identification may not be reflected in the cost basis information that is imported into the H&R Block Tax Software program from Morgan Stanley. You must carefully compare your records against the data that was imported and you must use your own records to accurately record the cost basis and acquisition date for tax reporting purposes. H&R Block Tax

Software will allow you to modify any of the information which was downloaded from Morgan Stanley.

You may need IRS authorization to change the cost basis method you selected. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Missing Cost Basis**

If the cost basis and/or acquisition date is missing from some of your securities, it may be because the securities are noncovered or because you transferred it to Morgan Stanley from another financial institution. Please refer to your own tax records to accurately record the cost basis and acquisition date to supplement the sale information which will be imported into the H&R Block Tax Software program.

Cost basis will not be supplied in the import process for certain securities, which include, but are not limited to, some noncovered securities, options, sale of foreign rights, cash in lieu of fractional shares and regulated futures contracts. Please consult your tax advisor for guidance on reporting gain/loss information for sales of these types of investments.

### **Cost Basis Associated with Reorganizations**

Morgan Stanley makes every effort to capture and process cost basis for securities that have been through a corporate action (i.e., merger, acquisitions, spin-offs and other reorganizations). However, because of the complexity of such reorganizations, Morgan Stanley cannot ensure the accuracy of the adjusted cost basis supplied in the H&R Block Tax Software download. It is your responsibility to verify this data from your own tax records and correct the cost basis information in the H&R Block Tax Software program as necessary. If you have questions regarding any adjustments to your initial basis, please consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Fixed Income Securities**

Morgan Stanley adjusts the cost basis of municipal bonds and zero coupon bonds for accretion and amortization, and this adjusted cost basis will be imported into the H&R Block Tax Software program now that these types of fixed income securities are covered securities, when purchased on or after January 1, 2014. More complex fixed income securities which includes bonds with stepped rates, convertible debt, STRIPs, instruments making payments in foreign currency, contingent payment debt instruments, variable rate debt and inflation indexed securities, tax credit bonds, PIK bonds, foreign issued debt, bonds with terms unavailable for more than 90 days after a customer acquisition, debt issued as part of an investment unit, physical certificates not held by a depository or clearing agent and options issued as part of an investment unit are covered securities if acquired on or after January 1, 2016.

For all other fixed income securities, including corporate bonds purchased at a discount in the primary or secondary markets, Morgan Stanley does not adjust cost basis and the original cost basis for such securities will be imported into the H&R Block Tax Software program. Bond premium amortization on taxable fixed income securities is adjusted automatically unless you have advised Morgan Stanley not to amortize. You may, however, be required to adjust your cost basis for accretion and/or amortization on such securities. Refer to your own records to accurately adjust the cost basis information imported into the H&R Block Tax Software program. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Foreign Securities**

Certain foreign securities may be considered to be Passive Foreign Investment Companies (PFIC) under the Internal Revenue Code. If you hold shares in a PFIC, the tax import will not correctly report the tax information required by the IRS for these securities; this may depend on shareholder-level tax elections. Consult your tax advisor and the IRS for additional information on tax elections and reporting requirements for shareholders of PFICs.

### **Cash Distributions from Sale of Foreign Rights**

Morgan Stanley does not provide the cost basis for cash distributions to holders of American Depository Receipts (ADRs) and American Depository Shares (ADSs) made as the result of the sale of rights issued in foreign rights offerings. Refer to your own records to add the cost basis information to the sale information imported into the H&R Block Tax Software program. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Foreign Tax Credit**

You may be able to claim taxes paid to a foreign country as a deduction or as a credit on your federal tax return. You will need to make this election after you import your tax information from Morgan Stanley Online. Generally, it is more advantageous to claim a credit on your return. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Master Limited Partnerships**

The tax information import does not contain any tax information for distributions paid to your account for Master Limited Partnerships. Cost basis related to these types of transactions is not supported in the H&R Block Tax Software download. Refer to your own tax records to accurately record the cost basis information to supplement the sale information, which will be imported into the H&R Block Tax Software program. You should receive a separate Schedule K-1, issued directly by the partnership. General partners normally do not issue K-1s until after March 15. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Option Transactions**



Since options on single stock securities acquired on or after January 1, 2014 are considered covered securities for cost basis reporting, options sale transactions (calls/puts) and related cost basis information are imported into the H&R Block Tax Software program. Morgan Stanley's Gain/Loss Summary Reporting System marries the cost/proceeds amount from option contracts with the underlying security. Securities that have been purchased or sold by the exercise or assignment of an option contract will have the cost/proceeds amount from the option "Married" or combined with the cost/proceeds amount of the underlying security. Option premiums will be included in your year-end Form 1099-B. All options transactions must be reported on the new IRS Form 8949 before completing Schedule D. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **Short Sales**

Short sales are reported on Form 1099-B in the year the short position is closed. Instructions for reporting have changed. If you had a short sale against the box (shorted a stock where you also held a long position) or covered the position during the year, Morgan Stanley will report cost basis information on that short sale using the cost basis of your long position on a first in, first out (FIFO) basis. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **State Income Tax Issues**

The tax information import provided by Morgan Stanley Online is based on reporting requirements for your federal tax return. It is not meant to support state tax returns. If you are using this information to complete your state tax return through the H&R Block Tax Software program or otherwise, obtain your state income tax reporting regulations to determine any adjustments or modification to the information provided. For example, tax-exempt municipal income and income derived from certain U.S. Treasury obligations may not be properly imported for the completion of your state income tax return. Consult with your tax advisor or your state taxing authority for additional information.

### **Tax-Exempt Interest and Tax-Exempt Dividends**

The Tax Increase Prevention and Reconciliation Act of 2005 (TIPRA) eliminated the exception from Form 1099 tax reporting for tax-exempt interest, including exempt interest dividends from mutual funds. Now, tax-exempt interest earned after December 31, 2005 is reportable in the same manner as taxable interest. Municipal original issue discount (OID), while reportable, is not included on Form 1099-INT and must be entered manually in the tax preparation software program. Although federally tax-exempt, the interest and dividends must be shown on your federal tax return. In addition, if you are using this information to complete your state tax return, you may be required to determine any additional adjustments or modifications to complete your state tax return. Consult your tax advisor with questions.

### **Widely Held Fixed Investment Trust (WHFIT) Tax Information**

IRS regulations require that Morgan Stanley provide an Additional Written Statement for securities classified as Widely Held Fixed Investment Trusts (WHFITs). WHFIT securities include: unit investment trust (UITs), mortgage trusts, royalty trusts and commodity trusts. This Additional Written Statement is for your information only and is not sent to the IRS.

The Additional Written Statement restates your 1099 information and also includes tax information not required to be reported on a 1099 that you may need in order to properly report your WHFIT income and expenses. The information included on an Additional Written Statement will vary depending upon the type of property owned by the WHFIT. Owners of royalty trusts and commodity trusts should also refer to the tax information provided by the issuers.

### **Wash Sales**

Since 2011 brokers have taken into account the effect of wash sales in computing cost basis and holding period for covered securities. Box 1g on Form 1099-B will report the amount of the disallowed loss on a wash sale.

A wash sale occurs when stock or other securities are sold at a loss and, within 30 calendar days before or after the day of the sale (trade date), the taxpayer repurchases the same security or a "substantially identical" security. If a wash sale occurs, the loss deduction is deferred for tax purposes until the repurchased security is sold. The wash sale rule does not apply to a sale at a gain.

When a sale is identified as a wash sale, the wash sale loss is added to the basis of the replacement securities. The basis adjustment is important as it preserves the benefit of the disallowed loss. The holding period of the replacement securities is also adjusted. Short sales of securities are subject to similar wash sale rules. You must check your own records for all of your accounts to ensure you are correctly reporting any wash sale that may have occurred. You must carefully compare your records against the data that was imported and you must use your own records to accurately record the cost basis for tax reporting purposes. H&R Block Tax Software will allow you to modify any of the information, which was downloaded from Morgan Stanley. Consult with your tax advisor, the IRS and relevant IRS publications for additional information.

### **CHOICE OF LAW**

This agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflicts of laws provisions. Sole and exclusive jurisdiction for any action or proceeding arising out of or related to this agreement shall be in an appropriate state or federal court located in the County of New York, State of New York and the parties unconditionally waive their respective rights to a jury trial. If for any reason a court of competent jurisdiction finds any provision of this agreement, or a portion thereof, to be unenforceable, that provision shall be enforced to the maximum extent permissible so as to the effect the intent of this agreement, and the remainder of this agreement shall continue in full force and effect.

Morgan Stanley and its Financial Advisors do not offer tax or legal advice. Individuals should consult their personal tax and legal advisors before making any tax or legal related decisions. This material was not intended or written to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer under U.S. federal tax laws.

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