

Internal Revenue Service

Department of the Treasury
Washington, DC 20224

Number: **200514006**

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Person To Contact: _____, ID No. _____

Telephone Number: _____

In Re:

Refer Reply To:
CC:ITA:B4 – PLR-157108-04

Date: December 15, 2004

X	=	
B	=	
E	=	
F		
G	=	
H	=	
x%	=	

Dear _____ :

This letter responds to your request for a letter ruling supplementing LTR 200445002 dated July 20, 2004 (Prior Ruling). The legend, abbreviations, facts, proposed transaction, representations, and caveats appearing in Prior Ruling are incorporated by reference.

Specifically, you have requested that certain changes in the proposed assignment will not adversely affect the conclusion in Prior Ruling. In Prior Ruling, the Internal Revenue Service concluded that judgment or settlement proceeds attributable to a 50% interest of claims E, F, G, and H (the Identified Claims) that will be assigned to B under the Assignment will not be includible in X's income provided that the terms of the Assignment are met. You are now requesting a ruling that the transfer of an x% undivided interest in the Identified Claims, which percentage will be specified at the time of execution of the Assignment, will not adversely affect the conclusion in Prior Ruling. Thus, if X transfers to B an x% undivided interest in the Identified Claims and X specifies that percentage interest at the time of execution of the Assignment, then the proceeds of the Identified Claims so transferred will not be included in X's income.

Based solely on the information and representations submitted in your letter dated _____, we conclude that the change in the Assignment from a transfer of a 50% undivided interest in the Identified Claims to a transfer of an x% undivided interest in such claims, which percentage interest will be specified at the time of execution of Assignment, will have no adverse effect on Prior Ruling, which retains full force and effect.

CAVEATS

Except as expressly provided herein, no opinion is expressed or implied concerning the tax consequences of any aspect of any transaction or item discussed or referenced in this letter.

Taxpayer should attach a copy of this letter and a copy of Prior Ruling to any tax return to which it is relevant. We enclose a copy of the letter for this purpose. Also enclosed is a copy of the letter showing the deletions proposed to be made when it is disclosed under § 6110 of the Internal Revenue Code.

The rulings contained in this letter are based upon information and representations submitted by the taxpayer and accompanied by a penalty of perjury statement executed by an appropriate party. While this office has not verified any of the material submitted in support of the request for rulings, it is subject to verification on examination.

This ruling is directed only to the taxpayer requesting it. Section 6110(k)(3) of the Code provides that it may not be used or cited as precedent.

In accordance with the Power of Attorney and Declaration of Representative on file in this office, a copy of this letter is being sent to your authorized representative.

Sincerely,

Michael J. Montemurro
Senior Technician Reviewer
Office of Chief Counsel
(Income Tax & Accounting)

Enclosures (2)