

Offering Legal & Fiduciary Services to Traders | Investors | Hedge Funds Commodity Pools, Forex Funds & Managed Accounts

Spot Forex, Managed Futures Trading & Commodities If you trade spot forex or commodity interests on behalf of a private customer or a hedge fund (i.e., a forex fund or a commodity pool) and charge fees -- you are a commodity trading adviser (CTA) and/or a commodity pool operator (CPO). Unless you operate under an exemption (see below) you need to register as a CTA and/or a CPO with the U.S. NFA if you are based in the United States or have U.S. customers. [Read our Leading Article published in Currency Trader](#) Need Help? [Contact Us for a Consultation](#) If you are not based in the United States or do not have U.S. customers, you may not need to worry about NFA registration.

File Your Annual NFA Exemption Are you currently operating under an exemption or exclusion from CPO or CTA registration (see below)? Don't forget to file your annual affirmation notice. You will lose your exemption if you do not file annually. Need help? [Click Here for More Information](#)

What is a Commodity Pool? Commodity interests are regulated by the CFTC/NFA. A commodity pool is a hedge fund that invests in commodity interests or forex. A commodity pool is the commodity-futures equivalent of a hedge fund--the investor buys shares in the pool and the manager of the pool invests in managed futures, commodity interests and/or spot forex. While they are regulated by the CFTC/NFA, commodity pools are also "covered securities" and subject to standard hedge fund rules.

Commodity Pool Sponsors & Investment Managers The sponsor of a commodity pool is a commodity pool operator (CPO). The investment manager of a commodity pool is a commodity trader adviser (CTA). Often the CPO and the CTA are the same entity. Absent an exemption, a CPO and a CTA must register with the CFTC/NFA.

A modest level of managed futures trading gives rise to classification as a commodity pool and NFA control. [Learn More About Hedge Funds](#) If you are thinking about starting a commodity pool, you will find our [Hedge Fund Checklist](#) helpful.

Forex Funds & Forex Managed

What is a Commodity Trading Adviser (CTA)? A CTA is an individual or organization which, for compensation or profit, advises others as to the value of or the advisability of buying or selling futures contracts, options on futures, or retail off-exchange forex contracts. CTAs are responsible for advising managed accounts and pooled investment vehicles, such as commodity pools. CTAs also advise investors about the value of commodity futures or options or the advisability of trading in commodity futures or options. Commodities regulations apply to a hedge fund's manager (CTA) or sponsor (CPO). Sometimes, the CPO and CTA are the same entity. [Click Here for a Summary of Registration Exemptions](#)

CPO and CTA Exemptions If you can't take advantage of an exemption from registration (see below), you must register with the CFTC, join the National Futures Association (NFA) and comply with detailed disclosure, record keeping and reporting regulations. The CFTC is an independent agency of the U.S. government responsible for regulating commodity trading. The NFA is responsible for regulating futures markets. NFA is overseen by the CFTC. The NFA is a self-regulatory organization to which the CFTC

Account Services If you operate a fund that trades forex or if you provide forex managed account services or trading advice to customers you are subject to a regulatory framework that puts you on equal footing with commodity trading advisors (CTA) that trade on-exchange commodity future and option contracts (commodities). CFTC regulations require you to register with the NFA and meet the disclosure, record keeping, reporting, and other requirements applicable to CTAs trading commodities. Even those trading in "foreign ordinaries" (i.e., equity securities exclusively traded overseas) may result in exposure to forex -related regulation (either now or in the near future) by the SEC, CFTC, NFA, or FINRA (see below). Generally, to start a forex fund, you must (1) pass the Series 3 Exam and Series 34 Exam; (2) join the National Futures Association (NFA) as a CTA; and (3) submit your Forex Disclosure Document (offering documents) to the NFA for approval. Forex trading advisors should have been registered with the NFA by October 18, 2010. If you are not NFA registered, you should not provide spot forex account management services to anyone until you are registered with the NFA or until you have filed an exemption from registration. Associated persons (AP) of an NFA registered firm can provide spot forex account management services only if they have passed the Series 34 Exam. APs registered before May 22, 2008 did not have to take and pass the Series 34 Exam.

Disclosure Documents for Forex or Commodities "Disclosure Documents" is the NFA name for offering documents and for individual managed accounts contracts. Both CTAs and CPOs need to have disclosure documents (offering documents) approved for use with customers by the NFA. The disclosure document review process can be straight-forward or painfully miserable, depending on how experienced the document examiner assigned to the review is. The experience of the reviewer impacts on the time line leading to approval of the disclosure document for use with customers. Inexperienced NFA reviewers will increase your legal costs. As our law firm completes

has delegated certain registration functions, including the registration of commodity pool operators (CPOs) and commodity trading advisers (CTAs). [Click Here for a List of CPO and CTA Exemptions and Exclusions](#)

CTA Exemptions CTAs are required to register with the NFA unless they meet certain criteria pertaining to the size and scope of services offered. All registered CTAs who manage customer accounts must be NFA members. Generally, a CTA is exempt from registration if: it is registered as a CPO and its commodity trading advice is directed solely to, and for the sole use of, the pool or pools for which it is so registered; it is exempt from registration as a CPO and its commodity trading advice is directed solely to, and for the sole use of, the pool or pools for which it is so exempt; or during the course of the preceding 12 months, it has not furnished commodity trading advice to more than 15 persons and it does not hold itself out generally to the public as a CTA. Exemptions are narrowly construed by the regulators and the courts.

CPOs and CTAs Trading Securities & Securities Products You do not have to register as an investment adviser if you are not trading securities. Commodities, managed futures and spot forex are not securities. If you plan to execute more than an occasional stock trade, however, you may have to register as an investment adviser. Security futures products also constitute securities for purposes of the Investment Company Act of 1940. If a CTA or a CPO provides more than incidental advice about securities, it has to address investment adviser registration, whether with the Securities Exchange Commission (SEC) or a state securities commission. [Learn More About Investment Adviser Registration](#)

How do I become a CTA? A CTA registers with the CFTC and becomes a member of the NFA by filing the following: a completed online Form 7-R; an application fee of \$200; and CTA Membership Dues, if applicable, of \$750. A CTA is required to file the following in relation to its "principals" and "associated persons": a completed online Form 8-R; fingerprint cards; a Principal Application

many CTA and CPO registrations, we have observed this fact directly. We have submitted virtually identical disclosure documents to the NFA at the same time and receive comment letters for each that are completely disparate. This is due to the fact they were assigned to two different reviewers. This is our repeated experience with the NFA. The NFA review process is labor intensive and how long it takes for your disclosure document to be approved may well depend on the luck of the draw! [Learn More About Offering Documents](#)

What is a Commodity Pool Operator

(CPO)? A CPO is an individual or organization managing a commodity pool (i.e., an entity in which funds contributed by a number of investors is combined for the purpose of trading futures contracts, options on futures, or retail off-exchange forex contracts, or to invest in another commodity pool). A CPO makes trading decisions on behalf of the pool or it retains the services of a CTA to trade for the commodity pool. A CPO also solicits or accepts funds, securities or property from prospective investors in the commodity pool. CPOs are required to register with the NFA unless they meet one of the requirements for exemption outlined by the CFTC. All registered CPOs must be members of the NFA in order to conduct business. [Click Here for a Summary of NFA Registration Exemptions](#)

CFTC Regulation 4.5 allows an exclusion from the definition of CPO for certain regulated persons. [Click Here for the CPO Exclusion List](#)

CPO Exemptions The CFTC provides for key exemptions from CPO registration requirements. The exemptions are powerful in that a CPO that sets up an exempt commodity pool and is exempt from NFA registration, does not have to take the Series 3 exam, or become a member of the NFA. To use these exemptions you must give investors a Disclosure Document with certain disclosures, a copy of the NFA exemption, and keep certain records. CFTC Regulation 4.13 offers an exemption from CPO registration for operators of smaller pools and pools that trade at a de minimis level, as defined, of commodity interests in regulation. Any person claiming one of these exemption

Fee of \$85; and an Associated Person Application Fee of \$85. Principals and associated persons of a CTA are generally required to have passed the Series 3 National Commodity Futures Examination.

What is the NFA Registration Process?

The Commodity Futures Trading Commission (CFTC) is the most prominent regulatory organization in spot forex and the National Futures Association (NFA) operates in association with the CFTC. The CFTC registration and disclosure document review process is handled exclusively by the NFA. While NFA registration can be completed quickly if a forex manager has completed the forex exams and the fingerprint requirement, the disclosure document (offering document) review process takes a little time as the NFA scrutinizes the documents. The offering documents must disclose performance fees and a break-even calculation. While forex disclosure documents are similar to futures/commodities disclosure documents, there are a few specific forex disclosures managers need to include in the forex disclosure documents. Forex disclosure documents and forex managed account agreements are legal documents used with customers and should be drafted by an experienced attorney, such as Hannah Terhune.

Contact us for your NFA Registration

Needs We prepare all NFA registration forms; customize policies and procedures; liaison with the regulators throughout the registration process for RFED, FCM, IB, CTA and CPO; and prepare disclosure documents for CTAs and CPOs. [Contact Us](#)

Will There Be a Family Office

Exemption? The CFTC indicated that it is considering a family office exemption akin to the SEC exemption. Through a series of interpretative letters, the CFTC takes the position that certain funds comprised solely of immediate family members are not commodity pools and consequently their managers are not CPOs. Although these letters were issued on a case-specific basis, CFTC regulations permit other entities to rely on interpretative letters.

must also file a notice of eligibility with the NFA. [Click Here for a List of the Exemptions](#) The exemptions are not self-executing. The NFA exemptions from registration need to be renewed annually.

Need assistance? [Contact Us](#) We can prepare and file NFA Exemptions for qualifying CTAs and CPOs.

CFTC Regulation 4.12(b) and CFTC Regulation 4.7 also provide exemptions to a registered CPO from certain requirements for funds with certain trading positions and to pools whose participants are limited to “qualified eligible persons” (sophisticated investors). Exempted parties must file notification with the NFA. [Click Here for Regulation 4.12\(b\)](#) and [Click Here for Regulation 4.7](#)

How do I become a CPO? Full registration as a CPO is a relatively involved process and typically takes from six to eight weeks to complete. A CPO registers with the CFTC and becomes a member of the NFA by filing the following: a completed online Form 7-R; an application fee of \$200; and CPO Membership Dues of \$750.00. A CPO is required to file the following in relation to its “principals” and “associated persons”: a completed online Form 8-R; Fingerprint cards; a Principal Application Fee of \$85.00; and an Associated Person Application Fee of \$85.00. Principals and associated persons of a CPO are generally required to have passed the Series 3 National Commodity Futures Examination.

NFA Exemption Requirements Exempt parties must file a publicly available notice disclosing the fund’s existence and exempt status. The NFA requires that parties that have filed a notice of exemption or exclusion under Rules 4.5, 4.13, or 4.14 must confirm such exemption or exclusion annually, within 60 days of the end of each calendar year. [CFTC Rule 4.13](#) Failing to comply with this requirement will be treated as a request to withdraw the exemption. [Click Here to Read the 2012 NFA Rule Changes](#) A person that meets the requirements of CFTC Regulation 4.14(a)(10) is not required to file a notice of exemption.

Managers of family offices seeking to avoid CPO registration must either (i) rely on another exemption from registration, if available, (ii) rely on a previously issued interpretative letter, if possible, or (iii) seek similar interpretative or no-action relief from the CFTC. The CPO registration exemptions in Rules 4.13(a)(1) and 4.13(a)(2) may be available to the managers of certain family offices. Rule 4.13(a)(1) exempts from registration the CPO of a single pool, provided that, among other things, the CPO does not receive compensation and is not otherwise required to register with the CFTC. Rule 4.13(a)(2) exempts from registration the CPO of one or more pools with aggregate contributions of \$400,000 or less, provided that no one pool has more than 15 participants. The CPO, its principals, their immediate family members and other relatives living in the same household are excluded from the participant and contribution limits. These exemptions have been of limited utility given the structure of many family offices.

What are Commodity Interests?

Commodity interests include futures (including agricultural, metal and financial futures), commodity options and, upon the issuance of final rules under Dodd-Frank, swaps. Swaps include a wide variety of transactions, including interest rate swaps, many types of currency swaps, energy and metal swaps, agricultural swaps, commodity swaps, swaps on broad-based indices, and swaps on government securities. The CFTC's position is that transacting in any amount of futures contracts (either directly or indirectly) causes a fund sponsor to be a CPO. There is no de minimis exception in the definition. The CFTC position results in the conclusion that fund sponsors who have interest rate swaps or foreign exchange swaps are CPOs and need to register (unless an exemption is available). Even a funds of funds may also be deemed to be commodity pools depending on the investment activities of underlying funds.

Introducing Brokers (IB) Persons who solicit or accept orders for Futures Commission Merchants (FCM) or Retail Foreign Exchange

Additionally, exempt parties must provide investors with an offering memorandum containing information disclosing: fees, transferability of fund interests, conflicts of interest and other matters. Exempt parties must provide investors with quarterly account statements disclosing: the fund's net asset value (NAV) at quarter end; the change in NAV from the previous quarter end; and the value of the investor's interest at quarter end. Exempt parties must provide investors with a form of annual report. Exempt parties are subject to the anti-fraud provisions of the Commodity Exchange Act (CEA). Exempt parties are subject to CFTC rules with respect to market manipulation. Exempt parties are subject to federal securities laws with respect to the offering of fund interests and investment activities involving securities. Finally, exempt parties are subject to certain special call provisions, including the requirement to file special reports with the CFTC, used for market surveillance and in connection with investigations or litigation.

Closely Held Pool Exemption CFTC

Rule 4.13(a)(1) The Single Pool Exemption is available to a CPO who operates only one pool at a time and does not receive any direct or indirect compensation other than reimbursement of expenses. No one involved in the Pool can advertise the Pool or systematically solicit investors. You can set up a pool to develop a track record and it can be used in conjunction with [incubator hedge funds](#). You can't receive any direct or indirect compensation other than reimbursement of expenses. You can't advertise the pool or solicit investors.

Small Pool Exemption CFTC Rule

4.13(a)(2) The Small Pool Exemption is available to a CPO receiving capital contributions of less than \$400,000 if the Pool doesn't have more than 15 investors. The CPO and its principals and certain relatives of the principals are not counted toward the 15 investor limit. Moreover, their contributions do not count toward the \$400,000 limit. There are many exemptions to the \$400k and 15 person

Dealer (RFED) for spot forex must register with the NFA as an Introducing Broker. IBs must either maintain the net capital requirements applicable to futures and commodity options IBs or to enter into guarantee agreements with the FCMs and RFEDs they deal with. To become an Introducing Broker you must (1) pass the Series 3 Exam (2) join the NFA as an Introducing Broker and (3) set up a clearing arrangement with a Futures Commission Merchant. An IB can choose (1) to meet the minimum net capital requirements applicable to futures and commodity options IBs, or (2) to enter into a guarantee agreement with an FCM or an RFED. The NFA requires an IB to have a net worth of \$45,000. If you cannot meet this capital requirement you can establish a Guaranteed Introducing Broker where the clearing FCM provides the equity. As a guaranteed IB, the IB can only clear through its guaranteeing FCM. As an IB cannot be a party to more than one guarantee agreement at a time, it effectively makes IBs that can't maintain the minimum net capital requirements exclusive sales agents for the FCM or RFED which they deal with. An independent IB (one that meets the net worth requirement) can establish clearing relationships with multiple FCMs.

Are PAMMs (Percentage Allocation Management Modules) Commodity

Pools? Yes. PAMMs are quite popular with money managers. PAMMs are solutions offered by forex brokers allowing money managers to control multiple client accounts by either pooling them together or allowing to place simultaneous orders. Under Interpretative Notice to NFA Compliance Rule 2-10, the NFA may view the sub-accounts traded under a PAMM (and similar trade management tools) as commodity pools. This directly affects commodity trading advisers (CTA) managing customer accounts under a master account. To avoid commodity pool status, each sub-account must be treated as an individual account. Orders must be placed on each sub-account's margin equity rather than master account's margin equity. Speedy deposit and withdrawal must be allowed--

limit such that the net effect is that you can set up a large pool while relying on this exemption. One of our planning strategies is to set up an exempt pool as a stepping stone to an NFA approved pool to avoid time delays. [Contact Us for a Free Consult](#)

De Minimis Pool CFTC Rule 4.13(a)(3)

The NFA requires full CPO registration by hedge fund managers operating hedge funds that conduct more than a de minimis amount of speculative trading in managed futures, spot forex and commodity interests. A hedge fund manager is required to register with the NFA unless the fund satisfies the de minimis trading limitations of Rule 4.13(a)(3). Under the rule, either: Initial margin and premiums for commodity interest transactions must be less than 5% of the liquidation value of the fund; or Aggregate net notional value of commodity interest transactions must be less than 100% of the liquidation value of the fund. Rule 4.13(a)(3) relief is available only if: (1) the hedge fund is privately offered to sophisticated investors defined in Rule 4.7 as qualified eligible persons (QEPs), accredited investors, or knowledgeable employees and (2) not marketed as a commodity futures or commodity options product. Most hedge funds and "real estate" hedge funds should be able to qualify under Rule 4.13(a)(3). [Learn More About Accredited Investors](#)

Rule 4.13(a)(4) Repeal In 12, the NFA removed the exemption for CPO registration available in Rule 4.13(a)(4). This rule was relied on by a substantial portion of the hedge fund industry. Hedge fund managers operating commodity pools relying on the Rule 4.13(a)(4) exemption are required to register as CPOs by December 31, 2012 (unless they are able to avail themselves of another exemption). As a result of the repeal, CTAs currently operating under an exemption from CTA registration under Rule 4.14(a)(8)--based on the fact that they provide advise pools exempt under Rule 4.13(a)(4), are required to register as CTAs with the CFTC and become NFA members.

On July 10, 2012, the CFTC issued a no-action [letter](#) that extends until December 31, 2012 relief from registration as a CPO or CTA that

customer funds cannot be locked as a result of a collective trading position.

QEP Exemption Registered CPOs may rely on CFTC Rule 4.7 for relief from certain requirements. Rule 4.7 provides relief from the disclosure, record keeping, and reporting requirements for CPOs that offer interests in private pools investing in commodities solely to QEPs. Previously, Rule 4.7 provides that a CPO claiming relief under the rule is not required to provide its pool participants with audited annual financial statements. Current rules require CPOs operating pools pursuant to relief under Rule 4.7 to have the annual financial statements for the pool certified by a public accountant. A hedge fund manager now required to register an operator as a CPO due to the rescission of Rule 4.13(a)(4) remains able to claim some relief from the disclosure, record keeping, and reporting requirements under the CFTC rules. [Click here to read the CFTC regulations issued February 8, 2012](#)

Taxes on Forex Trading Foreign currency gains and losses (including gains and losses on forward, future and option contracts) are taxed under Section 988. That means that forex trading gains are taxed at the short-term (ordinary) tax rates. There is an exception for what is called a "qualified fund" where an election can be made to treat profits from foreign currency trades under Section 1256 (mark-to-market and a blended rate of 60% long-term gain and 40% short-term gain (regardless of how long a position is held). However, the fund must be meet a statutory definition of "qualified fund" which has its principal business the trading of forward, future and option contracts. There are also other tests to meet the definition of a qualified fund. In a qualified fund currency futures--otherwise known as regulated futures contracts--are taxed under Section 1256. Forward contracts and over-the-counter options in other traded currencies for which there is also trading in regulated futures qualify as Section 1256 contracts (but after 2007, some doubt). Gains in a qualified fund from futures trading are taxed at the 60/40 blended rate. Call the IRS first if you are tempted to take wild tax return positions based on you have read elsewhere on

was previously available. In the no-action letter, the CFTC extended the compliance date until December 31, 2012 for CPOs of private funds launched after April 24, 2012 whose investors meet the qualification requirements previously set forth in Rule 4.13(a)(4), as long as the CPO files with the CFTC the notice required to claim such relief. In light of these changes you should consider your regulatory options. Confused? [Contact Us for Assistance](#)

The NFA modified the Electronic Exemption System to give persons that currently offer a 4.13(a)(4) exempt pool and have begun the registration process (but deferred the effective date until January 1, 2013), the ability to pre-file for an available exemption (e.g., 4.7, 4.12, or CFTC Advisory 18-96) that would become effective at the same time as the person's CPO registration on January 1, 2013. A person that elects to use the pre-filing option will not become subject to the additional reporting and disclosure requirements related to the newly claimed exemption until 2013.

Who regulates forex in the United States? In the United States, regulatory oversight for financial and futures industry for U.S. clients or those looking to do business in the United States falls under the jurisdiction of the Securities and Exchange Commission (SEC), Financial Industry Regulatory Authority (FINRA), Commodity Futures & Trading Commission (CFTC) and/or the National Futures Association (NFA).

National Futures Association ("NFA") is a membership organization comprised of individuals and entities in the business of placing futures and commodity options trades at contract markets on behalf of customers. NFA's activities are overseen by the Commodity Futures Trading Commission ("CFTC"), the government agency responsible for regulating all aspects of the U.S. commodity futures industry. The CFTC has delegated to NFA the responsibility for processing applications for CFTC registration and granting CFTC registration when appropriate.

the Internet on this topic. [Learn More About Hedge Fund Taxes](#)

Must I Register with the NFA I Trade of Foreign Ordinaries? Yes. Many broker-dealers offer the opportunity to buy and sell foreign ordinaries. In order to settle these transactions, brokers must convert customer monies into foreign currency and back again. In the typical transaction, a broker forwards a customer order to a correspondent overseas who executes the transaction in the foreign market in the local currency. On settlement date, the executing firm settles the transaction in the local currency, thereby necessitating another currency conversion. Ultimately, the U.S. customer of the broker settles the trade in U.S. dollars without being involved in the actual currency conversion (similar to the way credit card companies settle foreign credit card purchases with their customers in U.S. dollars).

Under Dodd-Frank, the issue is whether the purchase and sale of foreign ordinaries involves a retail forex transaction. Spot forex transactions normally settle on the second day after trade date and are expressly excluded from Dodd-Frank. However, securities transactions, including trades in foreign ordinaries settle on the third day after trade date. As a result, trading of foreign ordinaries may involve broker-dealers in regulated retail forex transactions.

Given the universe of rules applicable to FINRA members involved in retail forex (directly or indirectly through trading in foreign ordinaries), those trading foreign ordinaries on behalf of third parties for a fee, whether in an "equity" hedge fund or managed accounts, it is better to assume that squaring up with the NFA is the better path.

What About Binaries, FX Options and CFDs? Short for contracts for differences, CFDs allow speculation on the directional movement of numerous financial markets and instruments. Unlike traditional trading, you don't own the actual instruments traded on the market but derivative contracts whose

The CFTC was begun in 1974 to protect investors in the futures and commodities trades. The CFTC determines the rules regulating the commodity brokerage industry, and its stated mission to investors, trader and the public from unethical practices in the commodity and financial futures and options markets. In addition, the CFTC is responsible with creating the regulatory environment that will foster a free market environment that fosters competition. The CFTC has the authority to close any unregulated entity in the retail forex industry. For 150 years prior to the development of the CFTC futures had been traded on the stock market under federal restrictions but those rulings only kept actual market stability fair without actually regulating how companies worked with clients. Futures trading have always been a primary interest for investors and pertain to the trade of future promised goods such as fruits, grains, and juices still un-harvested but with a 'future' date for market. The futures market also deals with currency trading and the ever fluctuating foreign currency values against the dollar. With the new public offerings of forex and massive influxes of individuals never before entering the finance world the need for protection from fraud and manipulation was heightened to new levels. The CFTC has undergone many changes and improvements, all with the focus on promoting open and competitive forex and commodities trading in a safe and secure environment.

underlying asset defines the price parameters. Moreover, CFDs provide the opportunity to use leverage to trade large positions with a small amount of capital. CFDs are available for equities, indices, commodities, bonds, interest rates, forex and inflation futures. With binaries, traders try to successfully forecast the outcome of a particular event. The event can be anything, such as the closing price of the UK100 or Gold futures. When traders believe that a particular event will occur, they buy a binary quote in the hope of profiting from that event happening. If they don't think the event will happen, they will sell the quote. Unlike other financial products, binaries have only two possible outcomes: either the event happens by a certain time or it does not. To gauge how likely an event will happen by the expiry, binaries are priced on a range from zero to 100. With an FX option, a buyer and a seller enter a contract for the right to buy or sell an underlying currency pair at a specific price on a particular date. Again, given the universe of rules applicable to FINRA members involved in retail forex (directly or indirectly through trading in foreign ordinaries), those trading foreign binaries involving commodities and forex, CFDs involving commodities and forex, and FX options on behalf of third parties for a fee, whether in an "equity" hedge fund or managed accounts, it is better to assume that squaring up with the NFA is the better path.

Call Us First We are experts in international hedge funds and tax. Click on any reference below to our leading articles:

[Structuring and Financing International Operations Using Hybrid Entities and Tax-Efficient Financing Practical U.S./International Tax Strategies \(Jan. 15, 2004\)](#)

[Hedge Fund Compensation Arrangements. Practical U.S./Domestic Tax Strategies at Page 18 \(Dec. 2003\)](#)

[U.S. Inbound Investment – The Portfolio Interest Exemption. Practical U.S./International Tax Strategies \(Dec. 15, 2003\)](#)

[Foreign Futures Planning: The 60/40 Question. Practical U.S./International Tax Strategies at Page 12 \(Sept. 30, 2003\)](#)

[Managing Offshore Hedge Funds - A View from the Beach: Practical U.S./International Tax Strategies at Page 9 \(June 15, 2003\)](#)

[Offshore Hedge Funds - Master/Feeder Compliance Issues: Practical U.S./International Tax Strategies at Page 9 \(May 15, 2003\)](#)

Ready for Help? Please call us (307) 213-4732 or [e-mail Hannah Terhune, international hedge fund and tax attorney.](mailto:Hannah.Terhune@terhune.com)

[Follow @HannahTerhune](#)

Capital Management Services Group, Inc. is recognized by discriminating business owners as being the foremost tax and legal authority in the hedge fund industry. Attorney Hannah Terhune's education and experience are unsurpassed in the area of hedge fund creation, development and launch. Ms. Terhune's extensive international tax knowledge and hedge fund experience have made her an indispensable resource for serious hedge fund and business professionals. Ms. Terhune's numerous articles on the subjects have appeared in over 100 publications worldwide. Chances are, if you have read anything related to the hedge fund business, Ms. Terhune wrote it.

Why Hire Us? When you engage us you get a unique combination of securities, tax, and global business experience. We think we have the best set of offering documents in the industry for hedge funds based on current and ever changing laws. We aim to deliver quick turnaround times because we understand that our customers want to begin their money management business as soon as possible. We conceive, structure and deploy the best tax saving strategies for your hedge fund business. We will help you start your business as soon as possible and continue to assist you.

Give us the opportunity to use that knowledge and experience for you. Each client receives personalized attention from our attorneys and staff. No client is too large or small for us. We pride ourselves in providing personal attention to each client. We provide the best services and support needed for hedge funds and business projects. No need to coordinate work between accounting, administrative and law firms--we handle the entire hedge fund business process from start to finish. We offer legal services, accounting services, tax planning services, tax return preparation services, business consulting services, and U.S. and offshore company formation services. We provide high quality services at competitive rates. But don't take our word for it, give us a call and let us prove what we can do for you.

Personal Consultations You get answers to your specific questions by speaking directly to Hannah Terhune, an experienced hedge fund and international tax attorney. Ms. Terhune's hard-earned knowledge and experience can be put to work to save you unnecessary steps and costly wasted effort. The consult is an invaluable opportunity to speak to Hannah one-on-one and learn how to achieve more in less time. Ms. Terhune's credentials and experience gives you access to a well-informed professional practitioner with sound ethical judgment. The availability of such expertise required to recommend the best solutions to you and provide sound ethical advice should never be taken lightly. We are confident that when you are finished with your consultation you will be impressed and more informed about your business plans than ever before. **Call (307) 213-4732 or [Click Here to Request Services.](#)**

Our Commitment Henry David Thoreau wrote: "Do not hire a man who works for money, but him who does it for love of it." We are committed to your business plans and bringing you the best possible options. We are an established and internationally recognized law firm that serves and educates our clients throughout the industry. We do this by striving for the best results. A lawyer is a philosopher and role model. The ability to improve our clients' lives is a privilege that we do not take lightly. There is tremendous power in being able to effect a positive change in our clients' lives. Our aim is to welcome our clients and to provide a comfortable,

warm environment for all. Thanks for visiting our website. We hope to have the opportunity to serve you.

Website content and design are copyrighted 2001-2014 © by Hannah M. Terhune and all rights are reserved. This web site is designed for general information only. The information presented at this site should not be construed to be formal legal advice nor the formation of an attorney/client relationship.