



PROTECTIVE REFUND CLAIM

For LLC Gross Receipts Tax

Prepared by: Agent _____
Broker _____

Phone _____
Email _____

DATE: _____, 20_____, at _____, California.

1. LLC Name _____

LLC Identification Number issued by the Secretary of State on filing the LLC-1 _____

2. This LLC hereby makes a protective claim for a refund of taxes paid pursuant to Business & Professions Code §10238, which has been declared unconstitutional by Northwest Energetic Services, LLC v. California Franchise Tax Board (2008) 159 CA 4th 841.

The tax years involved in this claim include _____

4. The amount of the claim for a refund of the tax based on the LLC's gross receipts and paid with timely filings during the preceding four years (not including the annual \$800 franchise tax), is as follows:

20_____	\$_____
20_____	\$_____
20_____	\$_____
20_____	\$_____
for a total claim of	\$_____

The undersigned hereby makes this claim as the LLC's managing member or the representative under the attached power of attorney and is the person to be contacted by the FTB.

Date: _____, 20_____

Name of Manager: _____

Signature: _____

Phone number: _____

Cell number: _____

Fax number: _____

Fax: (916) 845-9796
Mail: FRANCHISE TAX BOARD
P.O. Box 942867
Sacramento, CA 94267-8888