TAXES FORTRADERS

2020



- Who are you?
- Tax treatment by product
- Forms / Losses / Wash Sales
- Trading as a Business
- Questions / Tax Planning / Extras
- Tax Center tastyworks.









Matt Hellmuth



Jason Chiou tastyworks.

Tom Dwyer





TAX BASICS - WHO ARE YOU?

- Individual Self-Directed Investor
- Trading as a Business without 475(f) MTM Election
- Trading as a Business with 475(f) MTM Election



TAX BASICS - PRODUCTS TRADED?

Business Business
Individual without 475 with 475

- Stock & equity options
- Broad-based indexes & index options (RFC=1256)
- Futures & futures options (RFC=1256)



Example of Consolidated Form 1099 tastyworks.

APEX CLEARING ONE DALLAS CENTER 350 N. ST PAUL, SUITE 1300 Account No: Account Name: Taxpayer Identification Number IN ACCOUNT WITH

TASTYWORKS, INC. (312) 724-7075

FORM 1099-B TOTALS SUMMARY

REALIZED GAIN / LOSS SUMMARY

Aggregate profit or (loss) on contracts

Refer to Proceeds from Broker and Barter Exchange Transactions for detailed information regarding these summary values. The amounts shown below are for informational purposes only.

SHORT-TERM GAINS OR (LOSSES) - REPORT ON FORM 8949, PART I	PROCEEDS	COST BASIS	MARKET DISCOUNT	WASH SALE LOSS DISALLOWED	OR (LOSS)
Box A (basis reported to IRS)	\$1,667,721.22	\$1,667,109.66	\$0.00	\$6,282.17	\$611.56
Box A - Ordinary - (basis reported to IRS)	\$0.00	\$0.00	φυ.00	\$0.00	\$0.00
Box B (basis not reported to IRS)	\$24,673.09	\$22,951.40	\$0.00	\$0.00	\$1,721.69
Box B - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Short-Term	\$1,692,394	\$1,690,061.06	\$0.00	\$6,282.17	\$2,333.25
LONG-TERM GAINS OR (LOSSES) REPORT ON FORM 8949, PART II					
Box D (basis reported to IRS)	\$25,099.05	\$24,994.65	\$0.00	\$0.00	\$104.40
Box D - Ordinary - (basis reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box E (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box E - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Long-Term	\$25,099.05	\$24,994.65	\$0.00	\$0.00	\$104.40
UNKNOWN TERM - CODE (X) REPORT ON FORM 8949 PART I OR PART I	ı				
Box B or Box E (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box B or Box E - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Unknown Term	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REGULATED FUTURES CONTRACTS Unrealized Profit or)loss) on open contracts12/31/2017 Unrealized Profit or)loss) on open contracts12/31/2018	\$66,600.70 \$0.00 \$0.00				

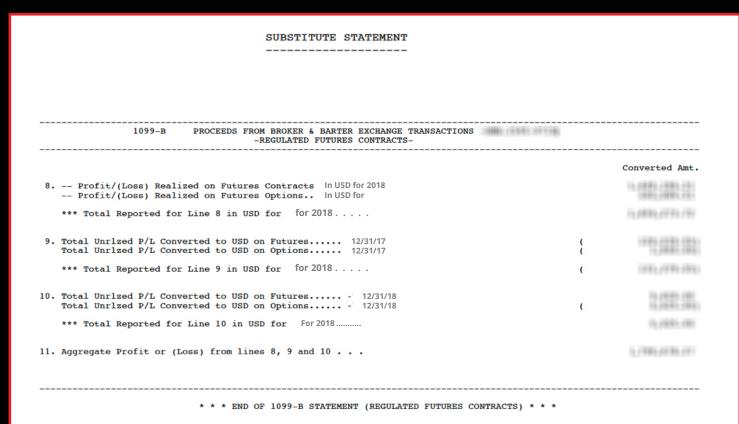
\$0.00 **\$66.600.70** **FORM 8949**

REGULATED FUTURES CONTRACTS

Form 6781



Example of Futures Form 1099



Form 6781

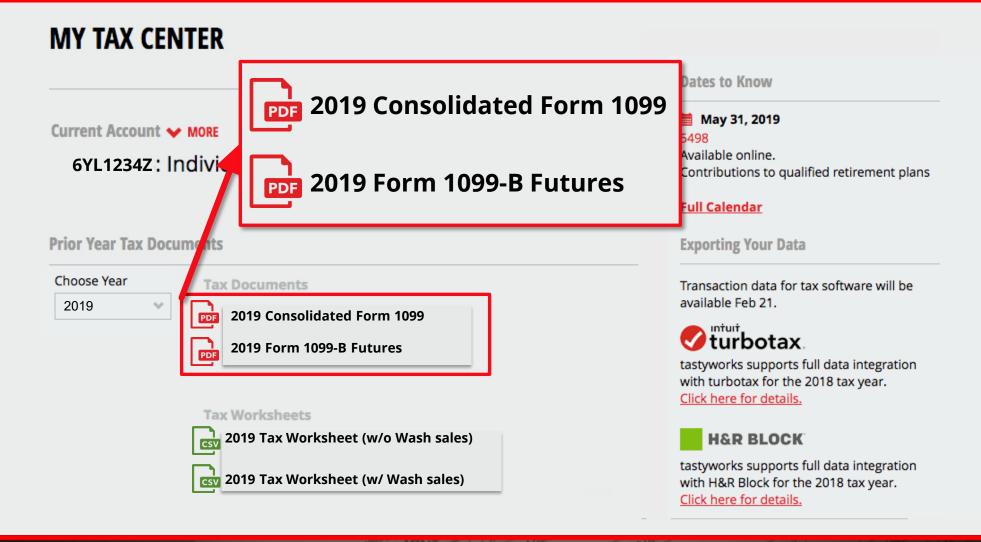


TAX BASICS - WHAT FORMS TO USE

		L
	<u>Individual</u>	V
Main Tax Form	1040	1
 Partnership or 	LLC	
 S-corporation 		
 C-corporation 		
Stock/Eq Opts	8949	
Index/Ind Opts	6781	
Futures/Fut Opts	6781	

Business without 475	Business with 475
1040+Sch C	1040+Sch C
or 1065	or 1065
or 1020-S	or 1020-S
or 1020	or 1020
8949	4797
6781	4797
6781	1707







TAX BASICS - TAX TREATMENT

Product Examples

Stock/Equity Opts
DIA EEM EFA EWZ FXI

GDX GLD IWM QQQ SLV SPY UNG XLE XLF XRT

Index/Index Opts

DJX NDX OEX RUI RUT SPX VIX XEO MNX XSP

Futures/Fut Opts

<u>Individual</u>

LT: >1yr

ST: <=1yr

LT: 60%

ST: 40%

LT: 60%

ST: 40%

Business without 475

LT: >1yr

ST: <=1yr

LT: 60%

ST: 40%

LT: 60%

ST: 40%

Business with 475

Ordinary

Ordinary

Ordinary



WASH SALES

- A wash sale occurs when you sell or trade securities at a loss within 30 days before or after the sale.
- Acquire substantially identical securities (includes options).
 Note Apex applies wash sale rules to the same security number.
- Generally, if a loss was disallowed because of wash sale rules, that loss will be added to your current position cost, except IRAs.



TAX BASICS - WASH SALES

Business Business
Individual without 475 with 475

Stock/Equity Opts YES YES NO

Index/Index Opts NO NO NO

Futures/Fut Opts NO NO NO



- Who are you?
- Tax treatment by product
- Forms / Losses / Wash Sales
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Investor vs. Trader

The IRS says:

"If the nature of your trading activities does not qualify as a business, you are considered an investor and not a trader. It does not matter whether you call yourself a trader or a day trader, you are an investor."



Does your trading qualify as a business?

You must meet ALL of the following to qualify as a trader:

- Seek profit from daily market movements
- Activity must be "substantial"
- Activity must be carried on with continuity & regularity

You should consider:

- Holding period of your positions
- Frequency & dollar amount of your trades
- Expectation of making a living off of your trading
- Amount of time you spend trading



What type of business expenses are typical for a trader?

Examples (not all inclusive):

- Subscriptions
- Data feeds
- Internet / telecommunication
- Computer / technology expenses
- Office supplies
- Accounting / legal / professional fees



TAX BASICS - WHAT FORMS TO USE

Business

6781

<u> </u>	<u>ndividual</u>	without 47
Main Tax Form	1040	1040+Sch C
 Partnership or L 	LC	or 1065
 S-corporation 		or 1020-S
 C-corporation 		or 1020
Stock/Eq Opts	. 8949	8949
Index/Ind Opts	6781	6781

Futures/Fut Opts..... 6781

Business '5 with 475 1040+Sch C or 1065 or 1020-S or 1020 4797 4797 4797



Sole Proprietorship or Single Member LLC

Income: w/o 475(f) = 8949 & Sch D

w/475(f) = Part II 4797

(Forn	Profit or Loss From Business (Sole Proprietorship) Department of the Treasury Internal Revenue Service (99) Attach to Form 1040, 1040NR, or 1041; partnerships generally must file Form 1065.								
A	Principal busines	ss or profession, including product or service (see instructions)	ВЕ	inter	ode f	rom i	nstr	uction	s
С	Business name.	If no separate business name, leave blank.	D E	mplo	er ID	numi	er (I	EIN) (s	ee instr.)
E	Durain and address	\perp	\perp	\perp					
_		s (including suite or room no.)							
		st office, state, and ZIP code	_						
F	Accounting met	(, , , _ , _ , _ , _ , _ , _ , _						·	
G		lly participate" in the operation of this business during 2018? If "No," see instructions for lim					\sqcup	res	☐ No
н	,	acquired this business during 2018, check here					\sqcup		
1	Did you make a	y payments in 2018 that would require you to file Form(s) 1099? (see instructions)							☐ No
J		or will you file required Forms 1099?						Yes	☐ No
Par	Income		_						
1	Gross receipts of	r sales. See instructions for line 1 and check the box if this income was reported to you on							
	Form W-2 and t	ne "Statutory employee" box on that form was checked		1					
2	Returns and allo	wances		2					
3	Subtract line 2 f	om line 1		3					
4	Cost of goods s	old (from line 42)		4					
5	Gross profit. S	ubtract line 4 from line 3		5					
6		cluding federal and state gasoline or fuel tax credit or refund (see instructions)		6					
7		Add lines 5 and 6		7					
Dort	Evpopoo	Enter expenses for business use of your home anly on line 20	_						

Expenses:
Should be reported on Sch C



How to Request MtM Form 1099 for TTS

- After making the 475(f) election with the IRS...
- Email accounts@tastyworks.com stating you would like to apply your section 475(f) tax classification to your tastyworks account, which must include:
 - Account #
 - Wet signature (no digital)
 - Tax year it is effective for



- Who are you?
- Tax treatment by product
- Forms / Losses / Wash Sales
- Trading as a Business
- Questions / Tax Planning / Extras
- Tax Center tastyworks.



TOP 5 tastyworks. QUESTIONS

1

What is RFC on my 1099-B and how / where do I report that on my tax return? Is this duplicative?

Isn't all my futures trading on a separate 1099-B?



APEX CLEARING ONE DALLAS CENTER 350 N. ST PAUL, SUITE 1300 DALLAS, TX 75201 Account No: Account Name:

Taxpayer Identification Number:

Account Executive No:

CORRECTED: 04/19/2018

IN ACCOUNT WITH

TASTYWORKS, INC. (312) 724-7075

FORM 1099-B TOTALS SUMMARY

REALIZED GAIN / LOSS SUMMARY

Refer to Proceeds from Broker and Barter Exchange Transactions for detailed information regarding these summary values. The amounts shown below are for informational purposes only.

SHORT-TERM GAINS OR (LOSSES) - REPORT ON FORM 8949	, PART I PROCEEDS	COST BASIS	MARKET DISCOUNT	WASH SALE LOSS DISALLOWED	REALIZED GAIN OR (LOSS)
Box A (basis reported to IRS)	\$1,667,721.22	\$1,667,109.66	\$0.00	\$6,282.17	\$611.56
Box A - Ordinary - (basis reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box B (basis not reported to IRS)	\$24,673.09	\$22,951.40	\$0.00	\$0.00	\$1,721.69
Box B - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Short-Term	n \$1,692,394.31	\$1,690,061.06	\$0.00	\$6,282.17	\$2,333.25
LONG-TERM GAINS OR (LOSSES) - REPORT ON FORM 8949,	PART II				
Box D (basis reported to IRS)	\$25,099.05	\$24,994.65	\$0.00	\$0.00	\$104.40
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Box E (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box E - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Long-Term	\$25,099.05	\$24,994.65	\$0.00	\$0.00	\$104.40
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Box B or Box E (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Box B or Box E - Ordinary - (basis not reported to IRS)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Unknown	Term \$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REGULATED FUTURES CONTRACTS	AMOUNT				
Profit or (loss) realized in 2017 - closed contracts	\$66,600.70				
Unrealized Profit or (loss) on open contracts 12/31/2016	\$0.00				
Unrealized Profit or (loss) on open contracts 12/31/2017	\$0.00				
Aggregate profit or (loss) on contracts	\$66,600.70				



APEX Clearing

ONE DALLAS CENTER 350 N St Paul Street Suite 1300 Dallas, TX 75201 tastyworks.

1000 W. FULTON MARKET, CHICAGO, IL 60607 | 312,724,7075

** NON-EXEMPT **

SUBSTITUTE 1099 STATEMENT

1099B PROCEEDS: BROKER TRANS.

STATEMENT DATE: DEC 29, 2017

PAYER ACCOUNT NUMBER:

PAGE

1099-B PROCEEDS FROM BROKER & BARTER EXCHANGE TRANSACTIONS -OMB.1545-0715
-REGULATED FUTURES CONTRACTS-

* * * END OF 1099-B STATEMENT (REGULATED FUTURES CONTRACTS) * * *



Departr Internal	Gains and Losses From Section 1256 Contracts and Straddles Department of the Treasury Internal Revenue Service Name(s) shown on tax return Gains and Losses From Section 1256 Contracts and Straddles Fig. 6781 Fig. 6781									
Check		ccount election contracts loss election								
- CI	(a) Identification of account (b) (Loss) (c) Gair	1								
1										
2	Add the amounts on line 1 in columns (b) and (c)									
3 4	Net gain or (loss). Combine line 2, columns (b) and (c)	3 4								
5	Form 1099-B adjustments. See instructions and attach statement	5								
3	Note: If line 5 shows a net gain, skip line 6 and enter the gain on line 7. Partnerships and S corporations, see instructions.	3								
6	If you have a net section 1256 contracts loss and checked box D above, enter the amount of loss to be carried back. Enter the loss as a positive number. If you didn't check box D, enter -0	6								
7	Combine lines 5 and 6	7								
8	Short-term capital gain or (loss). Multiply line 7 by 40% (0.40). Enter here and include on line 4 of Schedule D or on Form 8949 (see instructions)	8								
9	Long-term capital gain or (loss). Multiply line 7 by 60% (0.60). Enter here and include on line 11 of Schedule D or on Form 8949 (see instructions)	9								



TOP 5 tastyworks. QUESTIONS

2

Where do I find the commissions and fees I paid so that I can report them to the IRS against my trading gains?



APEX CLEARING ONE DALLAS CENTER 350 N. ST PAUL, SUITE 1300 DALLAS, TX 75201 Account No: Account Name:

Account Executive No:

Taxpayer Identification Number:

CORRECTED: 03/10/2018

IN ACCOUNT WITH

TASTYWORKS, INC. (312) 724-7075

000

RECIPIENT'S Name, Street Address, City, State, and Zip Code DOUGH INC D B A TASTYTRADE 19 N SANGAMON STREET CHICAGO, IL 60607 2613

Copy B for recipient 2nd TIN Notice

Payer's Federal Identification Number: 13-2967453
Payer's Name, Street, City, State, Zip Code:
APEX CLEARING

ONE DALLAS CENTER

2nd TIN Notice 350 N. ST PAUL, SUITE 1300
FATCA Filing Requirement DALLAS, TX 75201

Telephone Number: 214-765-1009

20XX FORM 1099-B: PROCEEDS FROM BROKER AND BARTER EXCHANGE TRANSACTIONS

OMB NO. 1545-0715

The information provided below is in accordance with Federal tax regulations and the IRS instructions that govern our reporting requirements. You should review this information carefully when completing your Form 8949 and Schedule D. There may be instances where our reporting requirements will not be consistent with your particular tax accounting position or elections. For these reasons, the IRS requires us to provide you with this reminder; Taxpavers are ultimately responsible for the accuracy of their tax returns.

Covered Short-Term Gains or Losses on Gross Proceeds

Report on Form 8949, Part I with Box A checked

Box 6: Gross Proceeds Box 5: Box Not Checked (Covered Security)

Box 3: Basis Reported to the IRS

Contract to the Contract of th

Box 2: Type of Gain or Loss - Short-Term

The 1099-B data referenced by a Box Number is reported to the IRS. The additional information not referenced by a Box Number is not reported to the IRS, but may be helpful to complete your return.

Security Description CUSIP (Box 1a)	Quantity Sold	Date Acquired (Box 1b)	Date Sold or Disposed (Box 1c)	Proceeds (Box 1d)	Cost or Other Basis (Box 1e)	Accrued Market Discount (Box 1f)	Wash Sale Loss Disallowed (Box 1g)	Gain/Loss Amount	Additional Information
NIKE INC CLASS B COM CUSIP: 654106103	300.00000	01/10/2017	06/30/2017	\$17,705.31	\$15,994.00	\$0.00	\$0.00	\$1,711.31	
MICROSOFT CORP CUSIP: 594918104	100.00000	05/17/2017	05/22/2017	\$6,962.67	\$6,811.08	\$0.00	\$0.00	\$151.59	SHORT SALE
PUT TSLA 10/20/17 345 CUSIP: 8BSPGK5	1.00000	09/14/2017	10/13/2017	\$176.84	\$496.14	\$0.00	\$0.00	(\$319.30)	
CALL TSLA 10/20/17 375 CUSIP: 8BSPYZ7	1.00000	09/11/2017	10/13/2017	\$67.84	\$963.14	\$0.00	\$0.00	(\$895.30)	

THIS IS YOUR FORM 1099 (COPY B FOR RECIPIENT) - PLEASE RETAIN FOR TAX PREPARATION PURPOSES
The above is important tax information and is being furnished to the Internal Revenue Service (except as indicated). If you are required to file a return, a negligence penalty or other sanction may be imposed on you if the income is taxable and the IRS determines that it has not been reported.

age 4 of 84



TOP 5 tastyworks. QUESTIONS

3

Why are some of my trades that I made on December 31st (trade date) not included in that same year reporting?

What do I need to do differently for tax planning/trading?



Position Reporting for End of Year Taxes

tastyworks.freshdesk.com/support/solutions/articles/43000550645

Help / Tax Center / Tax Treatment & Rules

POSITION REPORTING FOR END OF YEAR TAXES

Are you looking to close a position before the end of the year to harvest a profit or loss? If so, and you wish to have a position report as a profit or loss, then please be aware there are deadlines to close a position to count towards the 2020 tax year. In short, 2020 tax reporting for long positions are based on the trade date. However, short positions are based on their settlement date. For specific dates, please refer to the position type below:

LAST DAY TO CLOSE FOR 2020 TAX REPORTING

LONG STOCK/ETF AND STOCK/ETF/INDEX* OPTIONS

Trade Date: Thursday, December 31, 2020

Long stock/ETFs and long stock/ETF/index positions for tax reporting base on the trade date.

SHORT STOCK/ETF (T+2)

Trade Date: Tuesday, December 29, 2020

This is due to stock/ETF trade settlement of T+2, or Trade Date PLUS two business days. Any stock or ETF position closed after December 29, 2020, will report in your 2021 tax year.



TOP 5 tastyworks. QUESTIONS



On tastytrade, they talk about cost basis reduction or "keeping the dream alive" by rolling.

Can you explain both from a tax perspective?



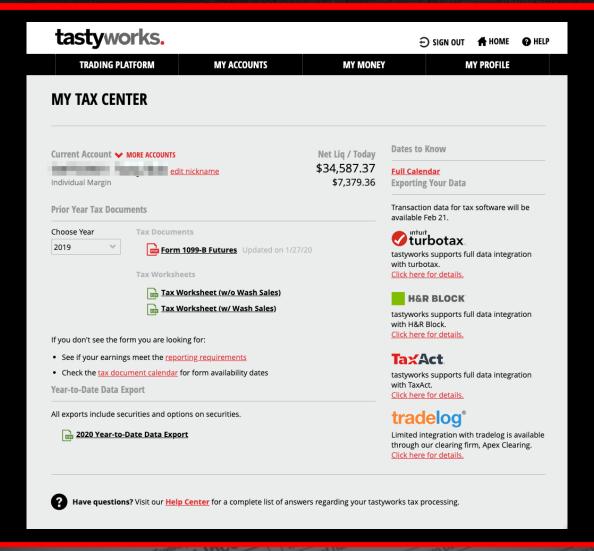
TOP 5 tastyworks. QUESTIONS

5

What type of tax form should I expect from tastyworks if I am considered a foreign customer in the U.S. and where can I get that form?

How do I know if my country and the U.S. have a tax treaty?







Form	1042-S					S. Source Inc								. –	OME	No. 154	5-0096	
	of the Treasury enue Service	_	0 0		042-5	and its separate instr		_	www	AMEND	_		20X			B ient		
1 Income	2 Gross income		3 Chapt	er indicator. Ent	er "3"	or "4"	3 13	e Reci	pient's	s U.S. TIN	l, if any	,		13f Ch.3 st	Ch.3 status code 16			
code			<u> </u>	nption code	00	4a Exemption code	15							13g Ch.4 s	status cod	е (00	
06	\$	-	3b Tax	•	.00	· · · · · · · · · · · · · · · · · · ·	00 13	h Reci	pient'	s GIIN			13i Recipient's fo	reign tax id	entification	n number	, 13j LOB code	
5 Withholdin	g allowance											li	if any					
6 Net income				7b Check if tax	not d	eposited with IRS	7											
7a Federal ta	ax withheld	\$		pursuant to es	crow p	rocedure	13	k Reci	pient's	s account	numbe	er			13l Reci	13I Recipient's date of birth		
8 Tax withhe	eld by other agents		•			\$0	.00											
9 Tax paid b	y withholding agent					\$0	.00 14	a Prim	ary W	ithholding'	Agent	's Nan	ne (if applicable)					
10 Total with	nholding credit					\$												
11 Amount re	epaid to recipient					_	14	b Prim	ary W	ithholding/	g Agent	's EIN		15 C	neck if nro	-rata has	is reporting	
12a Withhold	ding agent's EIN	29674	E2	12b Ch.3 statu 01	ıs cod	e 12c Ch.4 status coo		a Inton	مالمممانه	uni au flaui	+h.va.va	الم ما	tv's EIN, if any	1.00				
12d Withhold	P a					01		a inter	media	ary or flow	-tnroug	ın entii	tys Eliv, ir any		15b Ch.3 st	atus code	15c Ch.4 status code	
	ding agent's Global Ir		LEARING		vr (GIII	N)	15	d Inter	modia	ary or flow	throug	sh onti	ty's name					
126 WILLIIIOIC	ullig agents Global II	iteimet	nary iden	illication Numbe	i (Gill	v)				ary or flow			•					
12f Country	code	12g Fo	oreign tax	payer identificat	ion nu	mber, if any	_	15f Country code 15g Foreign tax identification number, if any										
	(number and street) S CENTER AUL, SUITE 1300						15	h Addı	ress (ı	number ar	nd stree	et)						
12i City or to	own, state or province	, count	ry, ZIP or	r foreign postal o	ode		15	i City c	or tow	n, state or	provin	ice, co	ountry, ZIP or fore	ign postal d	ode			
DALLAS TX	75201																	
13a Recipier	nt's name				13b F	Recipient's country code	16	a Paye	er's na	ime					16b	Payer's	ΓIN	
13c Address	(number and street)			1			16	c Paye	er's Gl	IIN				16d Ch. 3	status cod	le 16e	Ch. 4 status code	
13d City or to	own, state or provinc	e, coun	itry, ZIP o	or foreign postal	code		17	a State	e inco	me tax wit	thheld		17b Payer's state	e tax no.		17c Nai	me of state	

Form 1042-S



If you have any questions about obtaining your tax information:

Email: support@tastyworks.com

Phone: 312-724-7075 tastyworks.

On tastyworks.com: Go to the Help Center and navigate to the "Tax Center"





TAX PLANNING TIPS

Tom Dwyer





QUESTIONS

- Can I write off my health insurance? If so, how?
- 2 It's hard to find accountants that understand options trading. What questions should I ask?
- 3 Do you have a frequently asked question you always seem to get?



TAX BASICS - LOSSES

Stock/Eq Opts

Index/Ind Opts

Futures/Fut Opts

<u>Individual</u>

Capital
Loss Limit
of \$3,000
Against
Ordinary
Income &
CB* or CF

Business without 475

Capital
Loss Limit
of \$3,000
Against
Ordinary
Income &
CB* or CF

Business with 475

Ordinary
Loss, No
Limit. If
NOL, 2018,
2019, 2020
CB 5yrs by
Cares Act

*Carryback Carryforward





tjd-jr@tjdwyerlaw.com

Tom Dwyer





- Who are you?
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TAX CENTER tastyworks.



THANK YOU & GOOD LUCK TRADING!



taxes@tastytrade.com



@tastytrade



@KristiRossX

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If you have any questions about obtaining your tax information:

Email: support@tastyworks.com

Phone: 312-724-7075 tastyworks.

On tastyworks.com: Go to the Help Center and navigate to the "Tax Center"



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