



2 Hanson Place
12th Floor
Brooklyn, NY 11217

The Bank of New York Mellon, in its capacity as Trustee, has prepared the information posted by the Sponsor herein in accordance with its duties, obligations and standard of care as set forth in the Trust Agreement.

Report of Organizational Actions Affecting Basis of Securities

OMB No. 1545-2224

► See separate instructions.

Part I Reporting Issuer

1 Issuer's name		2 Issuer's employer identification number (EIN)	
SEE APPENDIX A		SEE APPENDIX A	
3 Name of contact for additional information	4 Telephone No. of contact	5 Email address of contact	
BNY MELLON, TRUSTEE	866-568-8985	BNYM.UIT.ETF.Tax@bnymellon.com	
6 Number and street (or P.O. box if mail is not delivered to street address) of contact		7 City, town, or post office, state, and Zip code of contact	
P.O. BOX 455		EAST SYRACUSE, NY 13057	
8 Date of action		9 Classification and description	
SEE APPENDIX A		RETURN OF CAPITAL	
10 CUSIP number	11 Serial number(s)	12 Ticker symbol	13 Account number(s)
SEE APPENDIX A	N/A	SEE APPENDIX A	N/A

Part II Organizational Action Attach additional statements if needed. See back of form for additional questions.

14 Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► DURING THE YEAR ENDED DECEMBER 31, 2016, THE ISSUER DISTRIBUTED AMOUNTS TO ITS UNITHOLDERS, A PORTION OR ALL OF WHICH CONSTITUTED A RETURN OF CAPITAL. SEE APPENDIX A FOR A COMPLETE LIST OF DISTRIBUTIONS AND RETURN OF CAPITAL AMOUNTS.

15 Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ► APPENDIX A PROVIDES THE TOTAL DISTRIBUTIONS PER UNIT, AS WELL AS THE RETURN OF CAPITAL PER UNIT, ON A DISTRIBUTION BY DISTRIBUTION BASIS. THE RETURN OF CAPITAL REPORTED SHOULD REDUCE THE TAXPAYER'S ADJUSTED BASIS OF EACH UNIT HELD ON THE DATE OF THE DISTRIBUTION.

16 Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► AN ANALYSIS OF THE ISSUER'S CURRENT AND ACCUMULATED EARNINGS AND PROFITS WAS PERFORMED IN ORDER TO DETERMINE THE PORTION OF THE DISTRIBUTION THAT CONSTITUTED A DIVIDEND AND THE PORTION THAT CONSTITUTED A RETURN OF CAPITAL.

Part II Organizational Action (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ►

I.R.C. SECTION 301(c)(2)

18 Can any resulting loss be recognized? ► THE RETURN OF CAPITAL REPORTED SHOULD REDUCE THE ADJUSTED BASIS OF EACH UNIT HELD ON THE DATE OF THE DISTRIBUTION. UPON THE DISPOSITION OF ALL OR A PORTION OF THE UNITS, THE TAXPAYER SHOULD RECOGNIZE GREATER GAIN/LESS LOSS.

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year THE REPORTABLE TAX YEAR OF THE DISTRIBUTIONS IS 2016.

Sign
Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature ►

Date ►

Print your name ►

Title ►

Paid
Preparer
Use OnlyPrint/Type preparer's name
Baruch J. Cohen

Preparer's signature

Date

Check ☒ if
self-employedPTIN
P01269048

Firm's name ► DELOITTE TAX LLP

Firm's EIN ► 86-1065772

Firm's address ► 30 ROCKEFELLER PLAZA NEW YORK, NY 10112-0015

Phone no. 212-492-3600

Send Form 8937 (including accompanying statements) to: Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0054

Issuer's Name	Issuer's EIN	Cusip 1	Cusip 2	Cusip 3	Cusip 4	Cusip 5	Ticker Symbol	Date of Corporate Action	Pay Rate per Unit	Per Unit Reduction of Taxpayer's Basis
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 6	35-2508090	83176Y109	83176Y117	83176Y133	83176Y125		STCLP06	1/10/2016	\$ 0.2100	\$ 0.01147
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 6	35-2508090	83176Y109	83176Y117	83176Y133	83176Y125		STCLP06	2/10/2016	\$ 0.01920	\$ 0.01048
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 6	35-2508090	83176Y109	83176Y117	83176Y133	83176Y125		STCLP06	3/10/2016	\$ 0.04620	\$ 0.02523
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 6	35-2508090	83176Y109	83176Y117	83176Y133	83176Y125		STCLP06	4/10/2016	\$ 0.01230	\$ 0.00672
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 7	35-2515164	83178J100	83178J118	83178J134	83178J126		STCLP07	3/10/2016	\$ 0.06100	\$ 0.06045
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 7	35-2515164	83178J100	83178J118	83178J134	83178J126		STCLP07	6/10/2016	\$ 0.03460	\$ 0.03429
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 7	35-2515164	83178J100	83178J118	83178J134	83178J126		STCLP07	7/10/2016	\$ 0.01650	\$ 0.01635
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 7	35-2515164	83178J100	83178J118	83178J134	83178J126		STCLP07	9/10/2016	\$ 0.03780	\$ 0.03746
SmartTrust, Argus Select 30 Equity Total Return Trust, Series 3	35-2519880	83178R102	83178R110	83178R136	83178R128		SMTRAR03	1/10/2016	\$ 0.02670	\$ 0.02670
SmartTrust, Argus Select 30 Equity Total Return Trust, Series 3	35-2519880	83178R102	83178R110	83178R136	83178R128		SMTRAR03	1/10/2016	\$ 0.46160	\$ 0.46160
SmartTrust, Argus Select 30 Equity Total Return Trust, Series 3	35-2519880	83178R102	83178R110	83178R136	83178R128		SMTRAR03	2/10/2016	\$ 0.01770	\$ 0.01770
SmartTrust, Zacks GARP Composite 35 Trust, Series4	35-2522189	83178U105	83178U113	83178U139	83178U121		STGARPO4	1/10/2016	\$ 0.02220	\$ 0.02220
SmartTrust, Zacks GARP Composite 35 Trust, Series4	35-2522189	83178U105	83178U113	83178U139	83178U121		STGARPO4	3/10/2016	\$ 0.03430	\$ 0.03430
SmartTrust, Sustainable Impact Investing Trust, Series 1	35-2522277	83179J109	83179J117	83179J133	83179J125		SMTRS01	1/10/2016	\$ 0.01670	\$ 0.01670
SmartTrust, Sustainable Impact Investing Trust, Series 1	35-2522277	83179J109	83179J117	83179J133	83179J125		SMTRS01	2/10/2016	\$ 0.12110	\$ 0.12110
SmartTrust, Sustainable Impact Investing Trust, Series 1	35-2522277	83179J109	83179J117	83179J133	83179J125		SMTRS01	3/10/2016	\$ 0.01970	\$ 0.01970
SmartTrust, Sustainable Impact Investing Trust, Series 1	35-2522277	83179J109	83179J117	83179J133	83179J125		SMTRS01	4/10/2016	\$ 0.01630	\$ 0.01630
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	3/10/2016	\$ 0.10260	\$ 0.07944
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	4/10/2016	\$ 0.01110	\$ 0.00854
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	6/10/2016	\$ 0.04340	\$ 0.03360
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	9/10/2016	\$ 0.04830	\$ 0.03740
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	10/10/2016	\$ 0.01080	\$ 0.00836
SmartTrust, Capital Innovations Global Infrastructure & MLP Trust, Series 8	35-2524928	83172Q100	83172Q118	83172Q134	83172Q126		STCLP08	12/10/2016	\$ 0.02790	\$ 0.02160
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	1/10/2016	\$ 0.01740	\$ 0.01740
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	3/10/2016	\$ 0.03150	\$ 0.03150
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	4/10/2016	\$ 0.01380	\$ 0.01380
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	4/10/2016	\$ 0.08260	\$ 0.08260
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	5/10/2016	\$ 0.01390	\$ 0.01390
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	6/10/2016	\$ 0.02180	\$ 0.02180
SmartTrust, Zacks GARP Composite 35 Trust, Series5	35-2527538	83179N100	83179N118	83179N134	83179N126		STGARPO5	7/10/2016	\$ 0.01630	\$ 0.01630
SmartTrust, Argus Dividend Growers Total Return Trust, Series 4	35-2527602	83179L104	83179L112	83179L138	83179L120		SMTRAR04	1/10/2016	\$ 0.01980	\$ 0.01980
SmartTrust, Argus Dividend Growers Total Return Trust, Series 4	35-2527602	83179L104	83179L112	83179L138	83179L120		SMTRAR04	2/10/2016	\$ 0.01620	\$ 0.01620
SmartTrust, Argus Dividend Growers Total Return Trust, Series 4	35-2527602	83179L104	83179L112	83179L138	83179L120		SMTRAR04	3/10/2016	\$ 0.01470	\$ 0.01470
SmartTrust, Argus Dividend Growers Total Return Trust, Series 4	35-2527602	83179L104	83179L112	83179L138	83179L120		SMTRAR04	4/10/2016	\$ 0.02540	\$ 0.02540
SmartTrust, Argus Dividend Growers Total Return Trust, Series 4	35-2527602	83179L104	83179L112	83179L138	83179L120		SMTRAR04	6/10/2016	\$ 0.02090	\$ 0.02090
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	1/10/2016	\$ 0.01430	\$ 0.01430
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	3/10/2016	\$ 0.01940	\$ 0.01940
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	4/10/2016	\$ 0.02120	\$ 0.02120
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	4/10/2016	\$ 0.07800	\$ 0.07800
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	6/10/2016	\$ 0.01630	\$ 0.01630
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	7/10/2016	\$ 0.01970	\$ 0.01970
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	9/10/2016	\$ 0.01400	\$ 0.01400
SmartTrust, Zacks GARP Composite 35 Trust, Series6	35-2534278	83179Y106	83179Y114	83179Y130	83179Y122		STGARPO6	10/10/2016	\$ 0.01880	\$ 0.01880
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	2/10/2016	\$ 0.01900	\$ 0.01206
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	3/10/2016	\$ 0.02840	\$ 0.01803
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	7/10/2016	\$ 0.01810	\$ 0.01148
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	10/10/2016	\$ 0.03630	\$ 0.02305
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	7/10/2016	\$ 0.01830	\$ 0.01162
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	8/10/2016	\$ 0.01470	\$ 0.00933
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	9/10/2016	\$ 0.02780	\$ 0.01765
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	10/10/2016	\$ 0.02130	\$ 0.01352
SmartTrust, Argus Dividend Growers Total Return Trust, Series 6	35-2539009	83190K101	83190K119	83190K135	83190K127		SMTRAR06	12/10/2016	\$ 0.03060	\$ 0.01943
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	1/10/2016	\$ 0.02510	\$ 0.00141
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	2/10/2016	\$ 0.01030	\$ 0.00058
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	3/10/2016	\$ 0.04220	\$ 0.00238
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	4/10/2016	\$ 0.02860	\$ 0.00161
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	5/10/2016	\$ 0.01180	\$ 0.00066
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	6/10/2016	\$ 0.02210	\$ 0.00124
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	7/10/2016	\$ 0.02900	\$ 0.00163
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	7/10/2016	\$ 0.01560	\$ 0.00092
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	8/10/2016	\$ 0.01930	\$ 0.00065
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	9/10/2016	\$ 0.02070	\$ 0.00117
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	10/10/2016	\$ 0.02810	\$ 0.00158
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	11/10/2016	\$ 0.02010	\$ 0.00113
SmartTrust, Defensive 50 Equities Trust, Series 5	35-2541348	83182K101	83182K119	83182K135	83182K127		STDEF005	12/10/2016	\$ 0.01940	\$ 0.00109
SmartTrust, Zacks GARP Composite 35 Trust, Series7	35-2541349	83182L109	83182L117	83182L133	83182L125		STGARPO7	4/10/2016	\$ 0.02800	\$ 0.02800
SmartTrust, Zacks GARP Composite 35 Trust, Series7	35-2541349	83182L109	83182L117	83182L133	83182L125		STGARPO7	7/10/2016	\$ 0.02350	\$ 0.02350
SmartTrust, Zacks GARP Composite 35 Trust, Series7	35-2541349	83182L109	83182L117	83182L133	83182L125		STGARPO7	10/10/2016	\$ 0.02380	\$ 0.02380
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	3/10/2016	\$ 0.01250	\$ 0.01250
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	4/10/2016	\$ 0.01680	\$ 0.01680
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	6/10/2016	\$ 0.02870	\$ 0.02870
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	7/10/2016	\$ 0.01720	\$ 0.01720
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	8/10/2016	\$ 0.01050	\$ 0.01050
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	9/10/2016	\$ 0.01610	\$ 0.01610
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	10/10/2016	\$ 0.02120	\$ 0.02120
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	11/10/2016	\$ 0.01120	\$ 0.01120
SmartTrust, Sustainable Impact Investing Trust, Series 4	35-2541438	83182N105	83182N204	83182N402	83182N303		SMTRS04	12/10/2016	\$ 0.01490	\$ 0.01490
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128		SMTRAR07	3/10/2016	\$ 0.02590	\$ 0.02468
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128		SMTRAR07	4/10/2016	\$ 0.01200	\$ 0.01143
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128		SMTRAR07	6/10/2016	\$ 0.03010	\$ 0.02868
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128		SMTRAR07	7/10/2016	\$ 0.01040	\$ 0.00991
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128		SMTRAR07	9/10/2016	\$ 0.03110	\$ 0.02964
SmartTrust, Argus Dividend Growers Total Return Trust, Series 7	35-2544704	83190T102	83190T110	83190T136	83190T128					

SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	6/10/2016	\$	0.02240	\$	0.01026
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	7/10/2016	\$	0.01860	\$	0.00852
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	7/10/2016	\$	0.40040	\$	0.38543
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	8/10/2016	\$	0.01410	\$	0.00646
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	9/10/2016	\$	0.01830	\$	0.00838
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	10/10/2016	\$	0.01840	\$	0.00843
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	11/10/2016	\$	0.02190	\$	0.01003
SmartTrust, Defensive 50 Equities Trust, Series 6	35-2546724	83190V107	83190V115	83190V131	83190V123		STDEF06	12/10/2016	\$	0.01860	\$	0.00852
SmartTrust, Sustainable Impact Investing Trust, Series 5	35-2551065	83183L108	83183L116	83183L132	83183L124		SMTRS05	6/10/2016	\$	0.02180	\$	0.02180
SmartTrust, Sustainable Impact Investing Trust, Series 5	35-2551065	83183L108	83183L116	83183L132	83183L124		SMTRS05	7/10/2016	\$	0.01700	\$	0.01700
SmartTrust, Sustainable Impact Investing Trust, Series 5	35-2551065	83183L108	83183L116	83183L132	83183L124		SMTRS05	9/10/2016	\$	0.02660	\$	0.02660
SmartTrust, Sustainable Impact Investing Trust, Series 5	35-2551065	83183L108	83183L116	83183L132	83183L124		SMTRS05	10/10/2016	\$	0.01960	\$	0.01960
SmartTrust, Sustainable Impact Investing Trust, Series 5	35-2551065	83183L108	83183L116	83183L132	83183L124		SMTRS05	12/10/2016	\$	0.02710	\$	0.02710
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	6/10/2016	\$	0.02100	\$	0.00652
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	7/10/2016	\$	0.02730	\$	0.00847
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	7/10/2016	\$	0.39000	\$	0.39000
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	9/10/2016	\$	0.03050	\$	0.00946
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	10/10/2016	\$	0.02500	\$	0.00776
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	11/10/2016	\$	0.02150	\$	0.00667
SmartTrust, Defensive 50 Equities Trust, Series 7	35-2554395	83191F101	83191F119	83191F135	83191F127		STDEF07	12/10/2016	\$	0.02160	\$	0.00670
SmartTrust, Miller/Howard North American Energy Development Trust, Series 2	35-2554398	83184E103	83184E111	83184E137	83184E129		SMTRMH02	9/10/2016	\$	0.01770	\$	0.01770
SmartTrust, Miller/Howard North American Energy Development Trust, Series 2	35-2554398	83184E103	83184E111	83184E137	83184E129		SMTRMH02	12/10/2016	\$	0.02640	\$	0.02640
SmartTrust*, Sustainable Impact Investing Trust, Series 6	35-2558644	83184H106	83184H114	83184H130	83184H122		SMTRS06	9/10/2016	\$	0.01500	\$	0.01500
SmartTrust*, Sustainable Impact Investing Trust, Series 6	35-2558644	83184H106	83184H114	83184H130	83184H122		SMTRS06	10/10/2016	\$	0.01630	\$	0.01630
SmartTrust*, Sustainable Impact Investing Trust, Series 6	35-2558644	83184H106	83184H114	83184H130	83184H122		SMTRS06	11/10/2016	\$	0.01320	\$	0.01320
SmartTrust*, Sustainable Impact Investing Trust, Series 6	35-2558644	83184H106	83184H114	83184H130	83184H122		SMTRS06	12/10/2016	\$	0.01570	\$	0.01570
SmartTrust*, Dorsey Wright International Momentum Trust, Series 4	35-2563659	83183H107	83183H115	83183H131	83183H123		SMTRDW04	12/30/2016	\$	0.01250	\$	0.01250
SmartTrust*, Defensive 50 Equities Trust, Series 8	35-2563661	83183Q107	83183Q115	83183Q131	83183Q123		STDEF08	9/10/2016	\$	0.01680	\$	0.00725
SmartTrust*, Defensive 50 Equities Trust, Series 8	35-2563661	83183Q107	83183Q115	83183Q131	83183Q123		STDEF08	10/10/2016	\$	0.02390	\$	0.01031
SmartTrust*, Defensive 50 Equities Trust, Series 8	35-2563661	83183Q107	83183Q115	83183Q131	83183Q123		STDEF08	11/10/2016	\$	0.01820	\$	0.00785
SmartTrust*, Defensive 50 Equities Trust, Series 8	35-2563661	83183Q107	83183Q115	83183Q131	83183Q123		STDEF08	12/10/2016	\$	0.01860	\$	0.00802
SmartTrust, Zacks GARP Composite 35 Trust, Series10	35-2566374	83184T100	83184T118	83184T134	83184T126		STGARP10	11/10/2016	\$	0.38360	\$	0.36948
SmartTrust, Zacks GARP Composite 35 Trust, Series11	35-2571340	83185A100	83185A118	83185A134	83185A126		STGARP11	12/16/2016	\$	0.00590	\$	0.00053
SmartTrust, Zacks GARP Composite 35 Trust, Series11	35-2571340	83185A100	83185A118	83185A134	83185A126		STGARP11	12/30/2016	\$	0.00540	\$	0.00049
SmartTrust*, Defensive 50 Equities Trust, Series 9	35-2571349	83184K109	83184K117	83184K133	83184K125		STDEF09	12/10/2016	\$	0.01820	\$	0.00413
SmartTrust*, Defensive 50 Equities Trust, Series 9	35-2571349	83184K109	83184K117	83184K133	83184K125		STDEF09	12/16/2016	\$	0.01060	\$	0.00765
SmartTrust*, Defensive 50 Equities Trust, Series 9	35-2571349	83184K109	83184K117	83184K133	83184K125		STDEF09	12/16/2016	\$	0.03700	\$	0.00840
SmartTrust*, Defensive 50 Equities Trust, Series 9	35-2571349	83184K109	83184K117	83184K133	83184K125		STDEF09	12/30/2016	\$	0.01230	\$	0.00279

Any tax advice included in this written communication was not intended or written to be used, and it cannot be used by the taxpayer, for the purpose of avoiding any penalties that may be imposed by any governmental taxing authority or agency.

Report of Organizational Actions Affecting Basis of Securities

OMB No. 1545-2224

► See separate instructions.

Part I Reporting Issuer

1 Issuer's name		2 Issuer's employer identification number (EIN)	
SEE APPENDIX B		SEE APPENDIX B	
3 Name of contact for additional information	4 Telephone No. of contact	5 Email address of contact	
BNY MELLON, TRUSTEE	866-568-8985	BNYM.UIT.ETF.Tax@bnymellon.com	
6 Number and street (or P.O. box if mail is not delivered to street address) of contact		7 City, town, or post office, state, and Zip code of contact	
P.O. BOX 455		EAST SYRACUSE, NY 13057	
8 Date of action		9 Classification and description	
SEE APPENDIX B		RETURN OF CAPITAL	
10 CUSIP number	11 Serial number(s)	12 Ticker symbol	13 Account number(s)
SEE APPENDIX B	N/A	SEE APPENDIX B	N/A

Part II Organizational Action Attach additional statements if needed. See back of form for additional questions.

14 Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► DURING THE YEAR ENDED DECEMBER 31, 2016, THE ISSUER DISTRIBUTED AMOUNTS TO ITS UNITHOLDERS, A PORTION OR ALL OF WHICH CONSTITUTED A RETURN OF CAPITAL. SEE APPENDIX B FOR A COMPLETE LIST OF DISTRIBUTIONS AND RETURN OF CAPITAL AMOUNTS.

15 Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ► APPENDIX B PROVIDES THE TOTAL DISTRIBUTIONS PER UNIT, AS WELL AS THE RETURN OF CAPITAL PER UNIT, ON A DISTRIBUTION BY DISTRIBUTION BASIS. THE RETURN OF CAPITAL REPORTED SHOULD REDUCE THE TAXPAYER'S ADJUSTED BASIS OF EACH UNIT HELD ON THE DATE OF THE DISTRIBUTION.

16 Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► AN ANALYSIS OF THE ISSUER'S CURRENT AND ACCUMULATED EARNINGS AND PROFITS WAS PERFORMED IN ORDER TO DETERMINE THE PORTION OF THE DISTRIBUTION THAT CONSTITUTED A DIVIDEND AND THE PORTION THAT CONSTITUTED A RETURN OF CAPITAL.

Part II Organizational Action (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ►
 I.R.C. SECTION 301(c)(2)

18 Can any resulting loss be recognized? ► THE RETURN OF CAPITAL REPORTED SHOULD REDUCE THE ADJUSTED BASIS OF EACH UNIT HELD ON THE DATE OF THE DISTRIBUTION. UPON THE DISPOSITION OF ALL OR A PORTION OF THE UNITS, THE TAXPAYER SHOULD RECOGNIZE GREATER GAIN/LESS LOSS.

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year THE REPORTABLE TAX YEAR OF THE DISTRIBUTIONS IS 2016.

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature ►

[Handwritten Signature]

Date ►

3/9/17

Print your name ►

Baruch J. Cohen

Title ►

VP

Paid Preparer Use Only

Print/Type preparer's name

Baruch J. Cohen

Preparer's signature

[Handwritten Signature]

Date

3/16/2017

Check ☒ if self-employed

PTIN

P01269048

Firm's name ► DELOITTE TAX LLP

Firm's EIN ► 86-1065772

Firm's address ► 30 ROCKEFELLER PLAZA NEW YORK, NY 10112-0015

Phone no. 212-492-3600

Send Form 8937 (including accompanying statements) to: Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0054

Issuer's Name	Issuer's EIN	Cusip 1	Cusip 2	Cusip 3	Cusip 4	Cusip 5	Ticker Symbol	Date of Corporate Action	Pay Rate per Unit	Per Unit Reduction of Taxpayer's Basis
SmartTrust, Enhanced Value II Trust, Series 9	35-2494785	83176R104	83176R112	83176R138	83176R120		SMTRREV09	1/10/2016	\$ 0.05570	\$ 0.00028
SmartTrust, Enhanced Value II Trust, Series 9	35-2494785	83176R104	83176R112	83176R138	83176R120		SMTRREV09	2/10/2016	\$ 0.03610	\$ 0.00018
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 5	35-2494786	83176P108	83176P116	83176P132	83176P124		SMTRZK05	1/10/2016	\$ 0.03160	\$ 0.02482
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 5	35-2494786	83176P108	83176P116	83176P132	83176P124		SMTRZK05	2/10/2016	\$ 0.01670	\$ 0.01312
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 2	35-2505173	83176V105	83176V113	83176V139	83176V121		STNASD02	1/10/2016	\$ 0.01120	\$ 0.00527
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 2	35-2505173	83176V105	83176V113	83176V139	83176V121		STNASD02	2/10/2016	\$ 0.01130	\$ 0.00531
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 2	35-2505173	83176V105	83176V113	83176V139	83176V121		STNASD02	3/10/2016	\$ 0.01310	\$ 0.00616
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 2	35-2505173	83176V105	83176V113	83176V139	83176V121		STNASD02	4/10/2016	\$ 0.01680	\$ 0.00790
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 2	35-2505173	83176V105	83176V113	83176V139	83176V121		STNASD02	4/10/2016	\$ 0.17090	\$ 0.17090
SmartTrust, Strategic Growth & Income Trust, Series 5	35-2505174	83177E102	83177E110	83177E136	83177E128		SMTRSG05	1/10/2016	\$ 0.05570	\$ 0.00028
SmartTrust, Strategic Growth & Income Trust, Series 5	35-2505174	83177E102	83177E110	83177E136	83177E128		SMTRSG05	2/10/2016	\$ 0.05090	\$ 0.00025
SmartTrust, Strategic Growth & Income Trust, Series 5	35-2505174	83177E102	83177E110	83177E136	83177E128		SMTRSG05	3/10/2016	\$ 0.05430	\$ 0.00027
SmartTrust, Strategic Growth & Income Trust, Series 5	35-2505174	83177E102	83177E110	83177E136	83177E128		SMTRSG05	4/10/2016	\$ 0.05000	\$ 0.00025
SmartTrust, Dynamic Sector Income Trust, Series 9	35-2508091	83177J101	83177J119	83177J135	83177J127		SMTRDS09	1/10/2016	\$ 0.03580	\$ 0.00643
SmartTrust, Dynamic Sector Income Trust, Series 9	35-2508091	83177J101	83177J119	83177J135	83177J127		SMTRDS09	2/10/2016	\$ 0.02650	\$ 0.00476
SmartTrust, Dynamic Sector Income Trust, Series 9	35-2508091	83177J101	83177J119	83177J135	83177J127		SMTRDS09	3/10/2016	\$ 0.05600	\$ 0.01005
SmartTrust, Dynamic Sector Income Trust, Series 9	35-2508091	83177J101	83177J119	83177J135	83177J127		SMTRDS09	4/10/2016	\$ 0.03680	\$ 0.00661
SmartTrust, Dynamic Sector Income Trust, Series 9	35-2508091	83177J101	83177J119	83177J135	83177J127		SMTRDS09	5/10/2016	\$ 0.02630	\$ 0.00472
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	1/10/2016	\$ 0.03270	\$ 0.02333
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	2/10/2016	\$ 0.02210	\$ 0.01577
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	3/10/2016	\$ 0.03310	\$ 0.02361
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	4/10/2016	\$ 0.02990	\$ 0.02133
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	5/10/2016	\$ 0.02880	\$ 0.02055
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	6/10/2016	\$ 0.03280	\$ 0.02340
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 6	35-2508180	83177H105	83177H113	83177H139	83177H121		SMTRZK06	6/10/2016	\$ 0.04390	\$ 0.04390
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	1/10/2016	\$ 0.04040	\$ 0.00544
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	2/10/2016	\$ 0.04490	\$ 0.00604
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	3/10/2016	\$ 0.02320	\$ 0.00308
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	4/10/2016	\$ 0.03070	\$ 0.00413
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	5/10/2016	\$ 0.04590	\$ 0.00618
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	6/10/2016	\$ 0.03420	\$ 0.00460
SmartTrust, Enhanced Value II Trust, Series 10	35-2510540	83177G107	83177G115	83177G131	83177G123		SMTRREV10	7/10/2016	\$ 0.03710	\$ 0.00499
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	1/10/2016	\$ 0.06170	\$ 0.02077
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	2/10/2016	\$ 0.05280	\$ 0.01778
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	3/10/2016	\$ 0.06400	\$ 0.02155
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	4/10/2016	\$ 0.05800	\$ 0.01953
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	5/10/2016	\$ 0.05750	\$ 0.01936
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	6/10/2016	\$ 0.06360	\$ 0.02141
SmartTrust, Diversified Income and Growth Trust, Series 5	35-2512800	83177P107	83177P115	83177P131	83177P123		SMTRIG05	7/10/2016	\$ 0.05770	\$ 0.01943
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	2/10/2016	\$ 0.01690	\$ 0.00888
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	3/10/2016	\$ 0.02350	\$ 0.01235
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	4/10/2016	\$ 0.01510	\$ 0.00794
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	4/10/2016	\$ 0.15670	\$ 0.15670
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	5/10/2016	\$ 0.01680	\$ 0.00883
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	6/10/2016	\$ 0.01760	\$ 0.00925
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	7/10/2016	\$ 0.02330	\$ 0.01224
SmartTrust, NASDAQ International Dividend Achievers Index Trust Series 3	35-2512913	83177U106	83177U114	83177U130	83177U122		STNASD03	8/10/2016	\$ 0.02240	\$ 0.01177
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	3/10/2016	\$ 0.03180	\$ 0.00446
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	4/10/2016	\$ 0.23450	\$ 0.03290
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	5/10/2016	\$ 0.02270	\$ 0.00318
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	6/10/2016	\$ 0.02250	\$ 0.00316
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	7/10/2016	\$ 0.16980	\$ 0.02382
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	8/10/2016	\$ 0.02250	\$ 0.00316
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	9/10/2016	\$ 0.02220	\$ 0.00311
SmartTrust, Closed-End Fund Advisors Select BDC Trust, Series 1	35-2517680	83178E101	83178E119	83178E135	83178E127		STBDC001	10/10/2016	\$ 0.15730	\$ 0.02207
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	1/10/2016	\$ 0.02600	\$ 0.01103
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	2/10/2016	\$ 0.01870	\$ 0.00794
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	3/10/2016	\$ 0.04430	\$ 0.01880
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	4/10/2016	\$ 0.02630	\$ 0.01116
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	5/10/2016	\$ 0.02470	\$ 0.01048
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	6/10/2016	\$ 0.04370	\$ 0.01855
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	7/10/2016	\$ 0.02050	\$ 0.00870
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	8/10/2016	\$ 0.02170	\$ 0.00921
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	9/10/2016	\$ 0.03680	\$ 0.01562
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	10/10/2016	\$ 0.02980	\$ 0.01265
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 7	35-2519844	83177Q105	83177Q113	83177Q139	83177Q121		SMTRZK07	11/10/2016	\$ 0.01800	\$ 0.00764
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	1/10/2016	\$ 0.02000	\$ 0.01711
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	2/10/2016	\$ 0.04240	\$ 0.03628
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	3/10/2016	\$ 0.02840	\$ 0.02430
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	4/10/2016	\$ 0.02400	\$ 0.02053
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	5/10/2016	\$ 0.04300	\$ 0.03679
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	6/10/2016	\$ 0.01290	\$ 0.01104
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	7/10/2016	\$ 0.01470	\$ 0.01258
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	8/10/2016	\$ 0.04830	\$ 0.04124
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	9/10/2016	\$ 0.01050	\$ 0.00898
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	10/10/2016	\$ 0.01440	\$ 0.01232
SmartTrust, Adelante REIT Growth and Income Trust, Series 5	35-2519852	83178G106	83178G114	83178G130	83178G122		STREIT05	11/10/2016	\$ 0.04030	\$ 0.03448
SmartTrust, Enhanced Value II Trust, Series 11	35-2519873	83178K107	83178K115	83178K131	83178K123		SMTRREV11	1/10/2016	\$ 0.04600	\$ 0.01278
SmartTrust, Enhanced Value II Trust, Series 11	35-2519873	83178K107	83178K115	83178K131	83178K123		SMTRREV11	2/10/2016	\$ 0.02830	\$ 0.00786
SmartTrust, Enhanced Value II Trust, Series 11	35-2519873	83178K107	83178K115	83178K131	83178K123		SMTRREV11	3/10/2016	\$ 0.03970	\$ 0.01103
SmartTrust, Enhanced Value II Trust, Series 11	35-2519873	83178K107	83178K115	83178K131	83178K123</					

SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	7/10/2016	\$ 0.04040	\$ 0.00398
SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	8/10/2016	\$ 0.05130	\$ 0.00506
SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	9/10/2016	\$ 0.04240	\$ 0.00418
SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	10/10/2016	\$ 0.04070	\$ 0.00401
SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	11/10/2016	\$ 0.05120	\$ 0.00505
SmartTrust, Dynamic Sector Income Trust, Series 14	35-2551067	83183M106	83183M114	83183M130	83183M122	SMTRDS14	12/10/2016	\$ 0.04580	\$ 0.00452
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	4/10/2016	\$ 0.14570	\$ 0.01683
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	5/10/2016	\$ 0.06730	\$ 0.00777
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	6/10/2016	\$ 0.01390	\$ 0.00161
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	7/10/2016	\$ 0.19000	\$ 0.02195
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	8/10/2016	\$ 0.05180	\$ 0.00598
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	10/10/2016	\$ 0.19990	\$ 0.02309
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	11/10/2016	\$ 0.05300	\$ 0.00612
SmartTrust, CEFA Select BDC Trust, Series 6	35-2551148	83190X103	83190X111	83190X137	83190X129	STBDC006	12/16/2016	\$ 0.12660	\$ 0.01462
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	4/10/2016	\$ 0.01210	\$ 0.00111
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	5/10/2016	\$ 0.01940	\$ 0.00179
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	6/10/2016	\$ 0.05220	\$ 0.00481
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	7/10/2016	\$ 0.04320	\$ 0.00398
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	8/10/2016	\$ 0.02220	\$ 0.00204
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	9/10/2016	\$ 0.04440	\$ 0.00409
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	10/10/2016	\$ 0.04310	\$ 0.00397
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	11/10/2016	\$ 0.02530	\$ 0.00233
SmartTrust, Zacks Diversified Equity & Corporate Bond Trust, Series 11	35-2551149	83191C108	83191C116	83191C132	83191C124	SMTRZK11	12/10/2016	\$ 0.03850	\$ 0.00355
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	5/10/2016	\$ 0.03330	\$ 0.00694
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	6/10/2016	\$ 0.04790	\$ 0.00998
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	7/10/2016	\$ 0.04470	\$ 0.00932
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	8/10/2016	\$ 0.04440	\$ 0.00925
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	9/10/2016	\$ 0.03930	\$ 0.00819
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	10/10/2016	\$ 0.04440	\$ 0.00925
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	11/10/2016	\$ 0.03610	\$ 0.00752
SmartTrust, Enhanced Value II Trust, Series 14	35-2551150	83182Y101	83182Y119	83182Y135	83182Y127	SMTRREV14	12/10/2016	\$ 0.03810	\$ 0.00794
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	6/10/2016	\$ 0.03000	\$ 0.02214
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	7/10/2016	\$ 0.01320	\$ 0.00974
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	8/10/2016	\$ 0.01100	\$ 0.00812
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	9/10/2016	\$ 0.02600	\$ 0.01919
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	10/10/2016	\$ 0.01680	\$ 0.01240
SmartTrust, Argus Dividend Growers Total Return Trust, Series 8	35-2551151	83191B100	83191B118	83191B134	83191B126	SMTRAR08	12/10/2016	\$ 0.03480	\$ 0.02568
SmartTrust, Zacks GARP Composite 35 Trust, Series9	35-2554399	83183T101	83183T119	83183T135	83183T127	STGARP09	7/10/2016	\$ 0.02040	\$ 0.01618
SmartTrust, Zacks GARP Composite 35 Trust, Series9	35-2554399	83183T101	83183T119	83183T135	83183T127	STGARP09	9/10/2016	\$ 0.38180	\$ 0.38180
SmartTrust, Zacks GARP Composite 35 Trust, Series9	35-2554399	83183T101	83183T119	83183T135	83183T127	STGARP09	10/10/2016	\$ 0.02180	\$ 0.01729
SmartTrust*, NASDAQ International Dividend Achievers Index Trust, Series 8	35-2558643	83182W105	83182W113	83182W139	83182W121	STNASD08	10/10/2016	\$ 0.02670	\$ 0.00390
SmartTrust*, NASDAQ International Dividend Achievers Index Trust, Series 8	35-2558643	83182W105	83182W113	83182W139	83182W121	STNASD08	10/10/2016	\$ 0.02670	\$ 0.02670
SmartTrust*, NASDAQ International Dividend Achievers Index Trust, Series 8	35-2558643	83182W105	83182W113	83182W139	83182W121	STNASD08	11/10/2016	\$ 0.02180	\$ 0.00318
SmartTrust*, NASDAQ International Dividend Achievers Index Trust, Series 8	35-2558643	83182W105	83182W113	83182W139	83182W121	STNASD08	12/16/2016	\$ 0.00760	\$ 0.00111
SmartTrust*, NASDAQ International Dividend Achievers Index Trust, Series 8	35-2558643	83182W105	83182W113	83182W139	83182W121	STNASD08	12/30/2016	\$ 0.00290	\$ 0.00042
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	7/10/2016	\$ 0.05540	\$ 0.00891
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	8/10/2016	\$ 0.07570	\$ 0.01218
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	9/10/2016	\$ 0.06280	\$ 0.01010
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	10/10/2016	\$ 0.05810	\$ 0.00935
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	11/10/2016	\$ 0.07500	\$ 0.01207
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	12/10/2016	\$ 0.06200	\$ 0.00998
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	12/16/2016	\$ 0.00240	\$ 0.00039
SmartTrust*, Strategic Growth & Income Trust, Series 9	35-2558645	83191L108	83191L116	83191L132	83191L124	SMTRSG09	12/30/2016	\$ 0.03250	\$ 0.00523
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	8/10/2016	\$ 0.03660	\$ 0.00434
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	9/10/2016	\$ 0.06210	\$ 0.00737
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	10/10/2016	\$ 0.03190	\$ 0.00379
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	11/10/2016	\$ 0.06420	\$ 0.00762
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	12/10/2016	\$ 0.05410	\$ 0.00642
SmartTrust, Dynamic Sector Income Trust, Series 15	35-2560671	83183X102	83183X110	83183X136	83183X128	SMTRDS15	12/30/2016	\$ 0.01330	\$ 0.00158
SmartTrust*, Argus Dividend Growers Total Return Trust, Series 9	35-2563656	83183Y100	83183Y118	83183Y134	83183Y126	SMTRAR09	9/10/2016	\$ 0.01930	\$ 0.01930
SmartTrust*, Argus Dividend Growers Total Return Trust, Series 9	35-2563656	83183Y100	83183Y118	83183Y134	83183Y126	SMTRAR09	10/10/2016	\$ 0.01530	\$ 0.01530
SmartTrust*, Argus Dividend Growers Total Return Trust, Series 9	35-2563656	83183Y100	83183Y118	83183Y134	83183Y126	SMTRAR09	12/10/2016	\$ 0.03600	\$ 0.03600
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	9/10/2016	\$ 0.02220	\$ 0.01533
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	10/10/2016	\$ 0.03810	\$ 0.02830
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	11/10/2016	\$ 0.03570	\$ 0.03595
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	12/10/2016	\$ 0.02780	\$ 0.01919
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	12/16/2016	\$ 0.02870	\$ 0.01981
SmartTrust*, Adelante REIT Growth & Income Trust, Series 9	35-2563658	83183U108	83183U116	83183U132	83183U124	STREIT09	12/30/2016	\$ 0.04450	\$ 0.03072
SmartTrust*, CEFA Select BDC Trust, Series 7	35-2563660	83183C108	83183C116	83183C132	83183C124	STBDC007	10/10/2016	\$ 0.20750	\$ 0.04748
SmartTrust*, CEFA Select BDC Trust, Series 7	35-2563660	83183C108	83183C116	83183C132	83183C124	STBDC007	11/10/2016	\$ 0.04200	\$ 0.00961
SmartTrust*, CEFA Select BDC Trust, Series 7	35-2563660	83183C108	83183C116	83183C132	83183C124	STBDC007	12/16/2016	\$ 0.13790	\$ 0.03155
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	9/10/2016	\$ 0.04070	\$ 0.00385
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	10/10/2016	\$ 0.06050	\$ 0.00573
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	11/10/2016	\$ 0.02510	\$ 0.00238
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	12/10/2016	\$ 0.04220	\$ 0.00400
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	12/16/2016	\$ 0.04850	\$ 0.00459
SmartTrust*, Preferred Plus Trust, Series 1	35-2563662	83183P109	83183P117	83183P133	83183P125	SMTRPP01	12/30/2016	\$ 0.01320	\$ 0.00125
SmartTrust*, Miller/Howard North American Energy Opportunities Trust, Series 3	35-2563663	83184F100	83184F118	83184F134	83184F126	SMTRMH03	8/10/2016	\$ 0.01960	\$ 0.01960
SmartTrust*, Miller/Howard North American Energy Opportunities Trust, Series 3	35-2563663	83184F100	83184F118	83184F134	83184F126	SMTRMH03	12/10/2016	\$ 0.05050	\$ 0.05050
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV15	9/10/2016	\$ 0.01700	\$ 0.00822
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV15	10/10/2016	\$ 0.02280	\$ 0.01102
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV15	11/10/2016	\$ 0.05650	\$ 0.02731
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV15	12/10/2016	\$ 0.03300	\$ 0.01595
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV15	12/16/2016	\$ 0.02330	\$ 0.01126
SmartTrust, Enhanced Value II Trust, Series 15	35-2566375	83184A101	83184A119	83184A135	83184A127	SMTRREV1			

SmartTrust®, Argus Dividend Growers Total Return Trust, Series 10	35-2571347	83185L106	83185L114	83185L130	83185L122		SMTRAR10	12/30/2016	\$	0.01540	\$	0.00172
SmartTrust®, Strategic Growth & Income Trust, Series 10	35-2571348	83184X101	83184X119	83184X135	83184X127		SMTRS5G10	11/10/2016	\$	0.02470	\$	0.00086
SmartTrust®, Strategic Growth & Income Trust, Series 10	35-2571348	83184X101	83184X119	83184X135	83184X127		SMTRS5G10	12/10/2016	\$	0.06070	\$	0.00212
SmartTrust®, Strategic Growth & Income Trust, Series 10	35-2571348	83184X101	83184X119	83184X135	83184X127		SMTRS5G10	12/16/2016	\$	0.02800	\$	0.00098
SmartTrust®, Strategic Growth & Income Trust, Series 10	35-2571348	83184X101	83184X119	83184X135	83184X127		SMTRS5G10	12/30/2016	\$	0.03210	\$	0.00112
SmartTrust®, Miller/Howard North American Energy Opportunities Trust, Series 4	35-2571351	83185D104	83185D112	83185D138	83185D120		SMTRMH04	12/10/2016	\$	0.02980	\$	0.02980
SmartTrust, Dynamic Sector Income Trust, Series 16	35-2571352	83184Q106	83184Q114	83184Q130	83184Q122		SMTRDS16	12/10/2016	\$	0.05690	\$	0.00653
SmartTrust, Dynamic Sector Income Trust, Series 16	35-2571352	83184Q106	83184Q114	83184Q130	83184Q122		SMTRDS16	12/16/2016	\$	0.01400	\$	0.00161
SmartTrust, Dynamic Sector Income Trust, Series 16	35-2571352	83184Q106	83184Q114	83184Q130	83184Q122		SMTRDS16	12/30/2016	\$	0.02260	\$	0.00259
SmartTrust®, CEFA Select BDC Trust, Series 8	35-2571358	83184Y109	83184Y117	83184Y133	83184Y125		STBDC008	12/16/2016	\$	0.20830	\$	0.04812
SmartTrust®, CEFA Select BDC Trust, Series 8	35-2571358	83184Y109	83184Y117	83184Y133	83184Y125		STBDC008	12/30/2016	\$	0.01760	\$	0.00407
SmartTrust®, Sustainable Impact Investing Trust, Series 8	35-2571359	83185Q105	83185Q113	83185Q139	83185Q121		SMTRSI08	12/16/2016	\$	0.01270	\$	0.00123
SmartTrust®, Sustainable Impact Investing Trust, Series 8	35-2571359	83185Q105	83185Q113	83185Q139	83185Q121		SMTRSI08	12/30/2016	\$	0.00560	\$	0.00054
SmartTrust®, Adelante REIT Growth & Income Trust, Series 10	35-2574354	83185F109	83185F117	83185F133	83185F125		STREIT10	12/30/2016	\$	0.01010	\$	0.00590
SmartTrust®, Adelante REIT Growth & Income Trust, Series 10	35-2574354	83185F109	83185F117	83185F133	83185F125		STREIT10	12/30/2016	\$	0.06400	\$	0.04356
SmartTrust, Enhanced Value II Trust, Series 16	35-2574355	83185X100	83185X118	83185X134	83185X126		SMTREV16	12/30/2016	\$	0.03370	\$	0.00702
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	1/10/2016	\$	0.04660	\$	0.01726
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	2/10/2016	\$	0.02090	\$	0.00774
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	3/10/2016	\$	0.03570	\$	0.01322
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	4/10/2016	\$	0.02700	\$	0.01000
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	5/10/2016	\$	0.02010	\$	0.00745
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	6/10/2016	\$	0.03800	\$	0.01408
SmartTrust, Rising Interest Rates Hedge Trust, Series 3	47-1523657	83177K108	83177K116	83177K132	83177K124		STRIRH03	7/10/2016	\$	0.02690	\$	0.00996

Any tax advice included in this written communication was not intended or written to be used, and it cannot be used by the taxpayer, for the purpose of avoiding any penalties that may be imposed by any governmental taxing authority or agency.