

ATTORNEYS
Kenneth E. Werner

PRACTICE AREAS
Tax

Kenneth Werner quoted in *The Hedge Fund Law Report* article "Implications of Recent IRS Memorandum on Loan Origination Activities for Offshore Hedge Funds that Invest in U.S. Debt"

The Hedge Fund Law Report
October 23, 2009

Richards Kibbe & Orbe Partner Kenneth E. Werner was quoted in an article titled "Implications of Recent IRS Memorandum on Loan Origination Activities for Offshore Hedge Funds that Invest in U.S. Debt" published in *The Hedge Fund Law Report*. The article details and analyzes the content of a memo issued by the Internal Revenue Service stating that interest income received by a foreign corporation with respect to loans that its agent originated to U.S. borrowers constitutes income connected with a U.S. trade or business and is subject to net income tax in the U.S. Mr. Werner suggests the memo could indicate increased attention to lending related activities of offshore funds by the IRS and describes several situations in which this is possible.

[Click here to read "Implications of Recent IRS Memorandum on Loan Origination Activities for Offshore Hedge Funds that Invest in U.S. Debt."](#)