## 2017 DEPOSITARY UNITHOLDER TAX INFORMATION

March 15, 2018

SAPAN SHAH ROTH IRA E TRADE CUSTODIAN 4013 AUDUBON DRIVE LARGO, FL 33771

## **Dear Depositary Unitholder or Interested Party:**

Attached is your personalized tax and ownership information for the period ending December 31, 2017 and instructions on how to use this information. Icahn Enterprises, LP ("IEP") is a publicly traded limited partnership and you are a limited partner for income tax purposes. Consequently, you are required to include in your income tax return your pro rata share of the Partnership's income, loss and deductions or credits.

#### IMPORTANT NOTICE:

THE FACT THAT YOU ARE RECEIVING THIS SCHEDULE K-1 IS NOT PROOF OF OWNERSHIP. PLEASE CHECK YOUR PERSONAL RECORDS AND BROKER STATEMENTS TO CONFIRM OWNERSHIP. PLEASE INFORM OUR INVESTOR RELATIONS DEPARTMENT AT (800-255-2737) IF YOU CANNOT VERIFY PROOF OF OWNERSHIP SO THAT WE CAN CORRECT OUR RECORDS.

Icahn Enterprises LP (IEP) owns an interest in CVR Refining LP (CVRR). Each of these entities is a separate publicly traded partnership (PTP). Because the passive activity rules do not allow passive activity losses from a PTP to be used against passive activity income from another PTP, the income or loss from each of these PTP's (also referred to as "activities") is required to be reported and accounted for separately. A net passive loss from either IEP or CVRR cannot be used to offset income from the other PTP or any other passive activity income. You will find "Supplemental K-1 Schedule" and separate activity state schedules in the enclosed package that provides the information needed to make this determination.

The information in the enclosed tax package is provided by the Partnership to assist you in preparing your personal tax return. The information reflects the application of various assumptions and conventions, as disclosed by the Partnership to you in various SEC filings and other offering documents. It is anticipated that the Partnership may provide disclosure of certain of these assumptions and conventions in the preparation of the Partnership return as warranted to the Internal Revenue Service and/or other taxing authorities. We suggest that you refer to the appropriate federal and state income tax laws, instructions, and SEC filings and other offering documents, and that you consult your tax advisor with any questions. You should discuss with your tax advisor whether the treatment of any items in the enclosed tax package may subject you and/or your tax advisor to a penalty by a taxing authority and the need to adequately disclose any items in order to avoid such penalty.

Icahn Enterprises LP has created a tax website where investors can login and register their accounts. Once the account is registered, the investor can notify the company of any updates to their profile (e.g. change of address, incorrect unit information, etc.). Investors will also be able to view and print copies of their Schedule K-1, and view other information related to their investment. The website is <a href="https://www.taxpackagesupport.com/Icahn">https://www.taxpackagesupport.com/Icahn</a>. If there are any problems accessing the website or registering, please feel free to contact Craig Pettit, VP - Tax, at (702) 586-8246.

## **SUMMARY OF ENCLOSED MATERIAL:**

The following is a summary of the enclosed material provided to assist a partner in the preparation of their 2017 Federal and State income tax returns. All of the IEP tax information required to complete a partner's return is included. **These schedules should not be filed with a partner's tax returns.** 

2017 OWNERSHIP SCHEDULE - This schedule contains a summary of your ownership provided by our transfer agent or your broker or nominee. YOU SHOULD INFORM US IMMEDIATELY OF ANY DISCREPANCIES. DO NOT USE THE INFORMATION IN THIS PACKAGE IF ANY OF THE INFORMATION CONTAINED IN THIS SCHEDULE IS INCORRECT. THE DEADLINE FOR RECEIPT OF CORRECTED UNIT OWNERSHIP DATA IS MAY 11, 2018. NOTIFICATION OF CHANGES CAN BE MOST EASILY ACCOMPLISHED BY LOGGING ONTO <a href="https://www.taxpackagesupport.com/icahn">https://www.taxpackagesupport.com/icahn</a>, REGISTERING YOUR ACCOUNT AND PROVIDING THE CORRECTED INFORMATION.

2017 FEDERAL SCHEDULE K-1 & STATE SCHEDULE - These schedules contain your distributive share of partnership income, expenses and other items of tax significance derived from your depositary units which are necessary to complete your income tax return. Included is a "Supplemental K-1 Schedule" and (2) State Schedules that provide the breakout of the two separate PTP activities (IEP and CVRR). Also included are Form 1040 line references to further assist individual return filers. USE THIS INFORMATION TO PREPARE YOUR 2017 TAX RETURNS. A description of each item reported on this schedule is included in this letter. A copy of the Internal Revenue Service Partner's Instructions for Schedule K-1 (Form 1065) is also included.

### 2017 SALES SCHEDULE

The 2017 Sales Schedule is a disposition worksheet and contains certain amounts that will assist partners, who disposed of IEP depositary units, in calculating taxable gain or loss. If you did not dispose of any IEP depositary units during the tax year ending December 31, 2017, the Sales Schedule will not be included. Use this schedule to calculate your gain or loss on 2017 IEP Page 1

K1 Account Number: 12705638

depositary unit dispositions. The information on this schedule will not be reported to the IRS by IEP.

As a result of tax legislation and the tax election made by IEP under Section 754 of the Internal Revenue Code ("754 Election"), the reporting of tax information is complex. Partners are urged to consult their tax advisor when preparing their 2017 tax returns.

Our accountants, KPMG LLP, have reviewed the enclosed information. IEP's returns have not been examined by the taxing authorities. Income tax laws and regulations are subject to varying interpretations concerning many types of transactions. Therefore, amounts reported by IEP in its tax returns are subject to acceptance or adjustment by such taxing authorities.

## **EXPLANATION OF FEDERAL & STATE SCHEDULE ITEMS:**

## Publicly Traded Partnership ("PTP") Income (Loss)

plus

The Revenue Act of 1987 included new rules for the treatment of a publicly traded partnership ("PTP") under the passive loss rules of the 1986 Tax Reform Act. Net income from a passive activity of a PTP, such as IEP, is treated as passive income under the passive loss rules. It may not be used to offset net losses from a partner's interest in any other PTP or net losses from other passive activities. Therefore, to the extent there is a passive activity loss, it cannot be deducted currently and is deferred to future years when IEP generates passive income or a partner completely disposes of their interest in IEP. In determining whether there is passive activity income or loss for these purposes, gain or loss from the sale of IEP depositary units is included. An unallowed loss from a partner's interest in IEP is carried forward and allowed in a tax year when there is net income from a passive activity of IEP or when a partner completely disposes of their interest in IEP.

Due to the fact that for 2017 there are two separate passive activities reported in the tax package, you should refer to, and use, the Supplemental K-1 Schedule for Tax Year 2017 to properly transfer amounts to the appropriate lines and/or schedules of your federal income tax return. Do not use Schedule K-1 as the basis for reporting amounts on your federal tax return, since the K-1 sums amounts for all activities.

Subject to the discussion below, in general, the following information from the Supplemental Schedule K-1 should be used to compute your net passive income/(loss) for the IEP and CVRR partnership activities for the year:

Part III, Box 1 (Ordinary Business Income/(Loss))
Part III, Box 2 (Net Rental Real Estate Income/(Loss))

plus Part III, Box 10 (Net Section 1231 Gain/Loss)

= Passive Activity Income/(Loss)

If the total in either activity results in a loss (negative number), you have a passive activity loss and you should not report this loss on your 2017 Federal tax return or use it to offset passive income from another passive activity unless you disposed of your entire interest in IEP in 2017.

After a partner has reviewed the 2017 Ownership Schedule and determined that the information therein is correct, the amounts reported on the 2017 Federal K-1 & State Schedules should be entered on a partner's tax return as indicated on these schedules. To the left of each amount a partner enters on their tax return, they should write "From PTP". This notation indicates that the entered amount is from a publicly traded partnership.

Net income or net loss from a PTP is not to be included on Form 8582 "Passive Activity Loss Limitations".

#### Ordinary Business Income (Loss): Part III, Box 1 of Federal K-1 Schedule and Column 1 of State Schedule

This amount represents a partner's share of net taxable income (loss) from ordinary business activities.

### Net Income (Loss) From Rental Real Estate: Part III, Box 2 of Federal K-1 Schedule & Column 2 of State Schedule

This amount represents a partner's share of IEP's net taxable income (loss) from rental real estate activities.

## Section 754 Election

IEP has made the 754 Election to apply the provisions of IRC Section 743(b). Accordingly, a "subsequent purchaser" of IEP units is entitled to adjust their share of the basis of IEP properties to reflect the price at which the units were purchased. This adjustment to basis has been made on behalf of "subsequent purchasers" by IEP and is reflected in their deductions for depreciation, and the amount of gain or loss recognized upon disposition of IEP properties. Depreciation resulting from the IEP election under Section 754 (and other specially allocated items resulting from the application of Section 704(c)) is included in the income amounts reported in Part III Box 1 and Box 2 of the Federal Schedule K-1 and Columns 1 and 2 of the State Schedule. Because the calculations under IRC Section 743(b) are complex, it is possible that the IRS may not agree with IEP's basis adjustment computation, thus requiring a change.

## Net 1231 Gain (Loss): Part III, Box 10 of Federal K-1 Schedule and Column 3 of State Schedule

This amount represents a partner's share of Section 1231 gains or losses on sales of properties used in business activities. These gains or losses are reportable on Part I, Line 2 Form 4797, "Sales of Business Property" Column (g) if applicable.

**Included in Box 10 are** amounts reported as unrecaptured 1250 gains in Part III, Box 9C of Federal K-1 Schedule, which represent a partner's share of unrecaptured depreciation taken on Section 1250 property, used in business activities, disposed of in 2017. These amounts are subject to a 25% maximum tax rate. For individuals these amounts are reportable on Form 1040, **Schedule D, "Capital Gains and Losses".** 

#### Alternative Minimum Tax ("AMT"): Part III, Box 17A of Federal K-1 Schedule & Column 7 of State Schedule

Certain partners may be required to complete Form 6251, "Alternative MinimumTax-Individuals". If a partner is required to use Form 6251, the amounts shown on Part III, Box 17 of Federal K-1 Schedule and Column 7 of State Schedule (which may be either positive or negative) should be entered on the appropriate lines of Form 6251.

#### Portfolio Income

Under the Tax Reform Act of 1986, interest and dividend income received by a partnership is characterized as portfolio income. Portfolio income cannot be used to offset a passive activity loss or PTP loss. Portfolio interest income is entered on Form 1040, line 8a and the payer is Icahn Enterprises, LP. Dividend income is entered on Form 1040, line 9a and the payer is Icahn Enterprises, LP. Portfolio short-term capital gain is entered on Form 1040, Schedule D, Part I, Line 5. Portfolio long-term capital gain is entered on Form 1040, Schedule D, Part II, Line 12. Included in Portfolio interest income in Part III, Box 5 of Federal K-1 Schedule is interest earned on U.S. Obligations (Agencies and T-Bills) See Part III, Box 20Z1. Tax exempt interest income (federally exempt), which is not included in Part III Box 5, is reported in Box 18A of Part III.

#### Investment Income: Part III, Box 20A of Federal K-1 Schedule

This amount represents a partner's share of investment income. If a partner is required to file **Form 4952**, "**Investment Interest Expense Deduction**" to calculate the deductible portion of investment interest expense, this amount should be combined with investment income from all other sources to determine the amount to enter on Line 4a of Form 4952.

Net short-term and long-term capital gains in Part III, Boxes 8 and 9a of Federal K-1 Schedule have not been included in Investment Income, Part III, Box 20A of Federal K-1 Schedule. Also, Other Income amounts from Box 11A have not been included in Part III Box 20A or 20B. These amounts should be considered when preparing Form 4952. Please consult your tax advisor. Finally, Part III, Box 20A only includes non-qualified dividends (i.e. Box 6a minus Box 6b). You may elect to include qualified dividends in the net investment income calculation on Form 4952. Please consult your tax advisor concerning the advisability of such an election.

If you sold any of your units in 2017 you may elect to include in investment income all or part of the net capital gain. If you make the election, the amount of net capital gain eligible for the various capital gains rates must be reduced by the amount of net capital gain you included in investment income. Please consult your tax advisor concerning the advisability of each alternative.

## Distributions: Part III, Box 19

This amount reflects a partner's share of distributions made by the partnership. In 2017, IEP declared dividends of \$1.50 per unit for each of the 4 quarters. Unit holders could elect to receive dividends in cash or in additional units. If additional units are elected rather than cash distributions, the value of the unit distribution is included in Box 19 as a distribution to the partner and as a corresponding contribution of those units back into the partnership. As a result, the unit distribution has no impact on the partner's tax basis in the partnership. Additionally, on February 6, 2017, the record date, IEP commenced a rights offering entitling holders of the rights to acquire newly issued shares of IEP. The rights offering entitled unit holders to receive .07718 rights for each IEP unit held. Each whole unit was exercisable for one IEP depositary unit at a subscription price of \$53.71. The estimated value of the rights is included in the distribution amount reported in Box 19 and an equal amount is reported as a contribution to capital. Accordingly, the rights offering has no impact on the partner's tax basis in the partnership.

#### Unrelated Business Taxable Income (UBTI): Part III, Box 20V of Federal K-1 Schedule

Certain tax-exempt organizations, including but not limited to qualified pension, profit-sharing and stock bonus plans and Individual Retirement Accounts, may be subject to Federal income tax with respect to unrelated business taxable income. A portion of these organizations' allocable share of IEP's income may be unrelated business taxable income.

## Income by State

IEP operates in several states which have a state income tax. Accordingly, it may be necessary for a partner to file not only a state income tax return in their state of residence, but also nonresident returns in those states where IEP operates if their income meets certain requirements or is of a magnitude which necessitates the filing of returns in such states. If a partner's state of residence requires the filing of an individual income tax return, the amounts reported on their Federal income tax return generally should be used for this purpose. For nonresident state income tax reporting purposes, the states where IEP operates and a partner's share of the income amount attributable to each state are included on the 2017 State Schedule. Portfolio income which is not attributable to a specific state has not been allocated and is considered reportable in each unitholder's state of residence.

Since state and city income tax laws vary considerably, a partner should consult their tax advisor with respect to the requirements for filing such income tax returns.

## SALES SCHEDULE

## Gain (Loss) From Sale of Interest

If a partner sold all of their units in 2017, the resulting gain or loss is computed by the unitholder on the 2017 Sales Schedule.

See attached Sales Schedule, if appropriate, for tax form references.

#### TAX SHELTER REGISTRATION:

IEP was not required to register with the IRS as a so called "tax shelter". Accordingly, IEP does not have a "tax shelter" identification number and a partner is not required to file Form 8271, "Investor Reporting of Tax Shelter Registration Number" with their Federal tax return as a result of their investment in IEP.

Please contact your tax advisor if you have any questions concerning how to report this information. If you need assistance or clarification, please contact our Investor Relations Department at (800) 255-2737.

Very truly yours,

Craig Pettit Vice President - Tax

# 2017 OWNERSHIP SCHEDULE DEPOSITARY UNITS

## ICAHN ENTERPRISES, LP

PARTNER NAME: SAPAN SHAH ACCOUNT NUMBER: 12705638

PARTNER FEDERAL ID/ENTITY: •••-3215 IRA/Sep/Keogh

CUSTODIAN FEDERAL ID: 04-3685560 PARTNERSHIP FEDERAL ID: 13-3398766

This schedule details your history of ownership of Icahn Enterprises, LP depositary units during 2017. The enclosed tax package reflects your ownership in units registered with the partnership and units held in a broker account if such information was provided by the broker on your behalf. If your records do not agree with the transactions shown, the enclosed tax information may be incomplete or incorrect.

If the ownership information provided below is in error, please login to the IEP tax website, <a href="https://www.taxpackagesupport.com/lcahn">https://www.taxpackagesupport.com/lcahn</a>, register your account and provide the information for changes needed. Deadline for making these corrections is May 11, 2018. If you prefer, you may notify the company of corrections by letter or fax. Information for these options is as follows:

Investor Relations Icahn Enterprises, LP 767 5th Ave. 46th Floor New York, NY 10153

or Fax to (646) 367-4550

We will send corrected tax schedules within 2-3 business days of receipt of this schedule

## Receipt of this schedule is not proof of ownership

TRANSACTIONS				
			BROKER OR	
	DESCRIPTION	DATE	CERTIFICATE NUMBER	UNITS
AC	BUY	2/20/2014	726	8.00000
AC	BUY	4/7/2014	726	10.00000
AJ	REINVESTMENT	7/1/2014	726	0.26900
AJ	REINVESTMENT	9/26/2014	726	0.25200
AJ	REINVESTMENT	12/26/2014	726	0.29400
AJ	REINVESTMENT	4/23/2015	726	0.30900
AJ	REINVESTMENT	7/1/2015	726	0.32900
END	OF YEAR UNITS	19.45300		

### ACKNOWLEDGEMENT FOR CORRECTIONS ONLY

The information reported or	n this schedule, as corrected, accurately and con	pletely presents my ownership history through 12/31/17.	
- Signature	 Daytime Phone	 Date	
<u> </u>	CLUDE THIS SCHEDULE WITH YOUR FEE		_

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0 - 1-			Final K-1 Amended		OMB No. 1545-0123		
Schedule K-1 (Form 1065) 20 <b>17</b>		Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items					
	rtment of the Treasury nal Revenue Service For calendar year 2017, or tax year	1	Ordinary business income (loss) -6	15	Credits		
	beginning / / 2017 ending / /	2	Net rental real estate income (loss)				
Pai	rtner's Share of Income, Deductions,		4				
	edits, etc. See back of form and separate instructions.	3	Other net rental income (loss)	16	Foreign transactions		
_			0	Α	VARIOUS		
	Part I Information About the Partnership	4	Guaranteed payments				
Α	Partnership's employer identification number	<u> </u>		В	44		
	13-3398766	5	Interest income				
В	Partnership's name, address, city, state, and ZIP code ICAHN ENTERPRISES L.P COMMON	6a	Ordinary dividends	С	-20		
	767 5TH AVENUE	Ua Ua		_	0		
	47TH FLOOR NEW YORK, NY 10153	6b	Qualified dividends	D	0		
	NEW FORK, WE TO TOO	0.5	2	G	45		
С	IRS Center where partnership filed return	7	Royalties	G	45		
C	e-file			Н	0		
D	Check if this is a publicly traded partnership (PTP)	8	Net short-term capital gain (loss)	1			
	Grook it this to a publicly traded partitioning (1117)		-4	*	STMT		
P	art II Information About the Partner	9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items		
E	Partner's identifying number	1	-14	Α	1		
	04-3685560	9b	Collectibles (28%) gain (loss)				
F	Partner's name, address, city, state, and ZIP code	1		В	0		
	SAPAN SHAH ROTH IRA E TRADE CUSTODIAN	9с	Unrecaptured section 1250 gain				
	4013 AUDUBON DRIVE		2				
	LARGO, FL 33771	10	Net section 1231 gain (loss)	18	Tax-exempt income and		
			47		nondeductible expenses		
G	General partner or LLC X Limited partner or other LLC	11	Other income (loss)	В	0		
	member-manager member	Α	0				
Н	X Domestic partner	_		С	0		
		С	-2				
l1	What type of entity is this partner? IRA/Sep/Keogh			19	Distributions		
12	If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here	12	Section 179 deduction				
J	Partner's share of profit, loss, and capital (see instructions):  Beginning  Ending	'-	Gection 179 deddction	Α	122		
	Profit 0.000013 % 0.000011 %	13	Other deductions	1			
	Loss 0.000013 % 0.000011 %	A	0	20	Other information		
	Capital 0.000013 % 0.000011 %		Ŭ.				
	0.0001070	Н	45	Α	17		
K	Partner's share of liabilities at year end:						
	Nonrecourse \$0	*	STMT	В	0		
	Qualified nonrecourse financing . \$	14	Self-employment earnings (loss)				
	Recourse			V	-20		
L	Partner's capital account analysis:			*	STMT		
	Beginning capital account \$1,678	*Se	ee attached statement for add	litiona	al information.		
	Capital contributed during the year \$ 4						
	Current year increase (decrease) . \$						
	Withdrawals & distributions \$ ( 122)	>					
	Ending capital account \$1,559	l C					
	X Tax basis GAAP Section 704(b) book	se (					
		l ä					
	Other (explain)	₩					
М	Did the partner contribute property with a built-in gain or loss?	For IRS Use Only					
IVI	Yes X No	"					
	If "Yes," attach statement (see instructions)						
	•						

Schedule K-1 (Form 1065) 2017 Page **2** 

This list identifies the codes used on Schedule K-1 for all partners and provides summarized reporting information for partners who file Form 1040. For detailed reporting and filing information, see the separate Partner's Instructions for Schedule K-1 and the instructions for your income tax return.

Code Report on 1. Ordinary business income (loss). Determine whether the income (loss) is Empowerment zone passive or nonpassive and enter on your return as follows. Report on employment credit Passive loss See the Partner's Instructions Credit for increasing research Passive income Schedule E, line 28, column (g) activities See the Partner's Instructions Nonpassive loss See the Partner's Instructions Credit for employer social Nonpassive income Schedule E, line 28, column (j) security and Medicare taxes Net rental real estate income (loss) See the Partner's Instructions Backup withholding Other net rental income (loss) Other credits Schedule E, line 28, column (g) 16. Foreign transactions Net income See the Partner's Instructions Net loss A Name of country or U.S. Schedule E, line 28, column (j) **Guaranteed payments** possession 5. Interest income Form 1040, line 8a Gross income from all sources Form 1116, Part I 6a. Ordinary dividends Form 1040, line 9a Gross income sourced at 6b. Qualified dividends Form 1040, line 9b partner level Schedule É, line 4 Royalties Foreign gross income sourced at partnership level 8. Net short-term capital gain (loss) Schedule D, line 5 Passive category 9a. Net long-term capital gain (loss) Schedule D, line 12 General category Form 1116, Part I 9b. Collectibles (28%) gain (loss) 28% Rate Gain Worksheet, line 4 Other (Schedule D instructions) Deductions allocated and apportioned at partner level 9c. Unrecaptured section 1250 gain See the Partner's Instructions Interest expense , Form 1116, Part I Net section 1231 gain (loss) Form 1116, Part I 10. See the Partner's Instructions н Other Other income (loss) 11. Deductions allocated and apportioned at partnership level to foreign source Code income A Other portfolio income (loss) See the Partner's Instructions Passive category Involuntary conversions See the Partner's Instructions В General category Form 1116, Part I Sec. 1256 contracts & straddles Form 6781, line 1 Other Mining exploration costs recapture See Pub. 535 Other information Form 1040, line 21 or Form 982 Cancellation of debt Form 1116, Part II Е Total foreign taxes paid Form 1116, Part II See the Partner's Instructions Other income (loss) M Total foreign taxes accrued Section 179 deduction See the Partner's Instructions N Reduction in taxes available for credit Form 1116, line 12 Other deductions A Cash contributions (50%) Foreign trading gross receipts Form 8873 Extraterritorial income exclusion Form 8873 Cash contributions (30%) В Other foreign transactions See the Partner's Instructions Noncash contributions (50%) 17. Alternative minimum tax (AMT) items Noncash contributions (30%) See the Partner's Post-1986 depreciation adjustment Е Capital gain property to a 50% Instructions В Adjusted gain or loss See the Partner's organization (30%) C Depletion (other than oil & gas) Instructions and Capital gain property (20%) Oil, gas, & geothermal-gross income the Instructions for Contributions (100%) G Oil, gas, & geothermal-deductions Form 6251 Н Investment interest expense Form 4952, line 1 Other AMT items Tax-exempt income and nondeductible expenses Deductions-royalty income Schedule E, line 19 Section 59(e)(2) expenditures See the Partner's Instructions Tax-exempt interest income Form 1040, line 8b Deductions-portfolio (2% floor) Schedule A, line 23 Other tax-exempt income See the Partner's Instructions Deductions - portfolio (other) Schedule A, line 28 Nondeductible expenses See the Partner's Instructions Amounts paid for medical insurance Schedule A, line 1 or Form 1040, line 29 19. Distributions Educational assistance benefits See the Partner's Instructions Cash and marketable securities Dependent care benefits Form 2441, line 12 Distribution subject to section 737 See the Partner's Instructions Preproductive period expenses See the Partner's Instructions Other property Commercial revitalization deduction Other information from rental real estate activities See Form 8582 instructions Investment income Form 4952, line 4a Pensions and IRAs See the Partner's Instructions В Form 4952, line 5 Investment expenses See the Partner's Instructions Reforestation expense deduction Fuel tax credit information Form 4136 Domestic production activities Qualified rehabilitation expenditures See Form 8903 instructions information (other than rental real estate) See the Partner's Instructions Qualified production activities income Form 8903, line 7b Basis of energy property See the Partner's Instructions Form 8903, line 17 Employer's Form W-2 wages Recapture of low-income housing W Other deductions See the Partner's Instructions credit (section 42(j)(5)) Form 8611, line 8 G Self-employment earnings (loss) Recapture of low-income housing **Note:** If you have a section 179 deduction or any partner-level deductions, see the Partner's Instructions before completing Schedule SE. credit (other) Form 8611, line 8 Recapture of investment credit See Form 4255 A Net earnings (loss) from Recapture of other credits See the Partner's Instructions Schedule SE, Section A or B self-employment J Look-back interest - completed long-term contracts See Form 8697 R Gross farming or fishing income See the Partner's Instructions Look-back interest-income forecast See the Partner's Instructions C Gross non-farm income method See Form 8866 Credits L Dispositions of property with A Low-income housing credit section 179 deductions (section 42(j)(5)) from pre-2008 Recapture of section 179 deduction buildings Interest expense for corporate Low-income housing credit partners (other) from pre-2008 buildings Section 453(I)(3) information C Low-income housing credit Section 453A(c) information (section 42(j)(5)) from Q Section 1260(b) information post-2007 buildings See the Partner's Instructions Interest allocable to production Low-income housing credit See the Partner's expenditures (other) from post-2007 Instructions CCF nonqualified withdrawals buildings Qualified rehabilitation Depletion information—oil and gas expenditures (rental real estate) Unrelated business taxable income Other rental real estate credits Precontribution gain (loss) G Other rental credits Section 108(i) information н Undistributed capital gains credit Form 1040, line 73; check box a Net investment income Biofuel producer credit

Work opportunity credit

Disabled access credit

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See the Partner's Instructions

Other information

## **ICAHN ENTERPRISES, LP**

PARTNER NAME: SAPAN SHAH ACCOUNT NUMBER: 12705638

PARNTER FEDERAL ID/ENTITY: •••--•-3215 IRA/Sep/Keogh

CUSTODIAN FEDERAL ID: 04-3685560
PARTNERSHIP FEDERAL ID: 13-3398766

## State Information

(Due to rounding and other Federal and State differences, State totals may not agree to Federal totals)							
State	(1) Net Ordinary Income or Loss (-)		(3) Other Net Rental Income or Loss(-)		(5) Bonus Adjustment for Non-Conforming States (-)	(6) Alternative Minimum Tax Depreciation Adjustment (-)	(7) State Credits
CT FL GA IL IN LA MA NY OH OR PA RI WI	0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0	5 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0

## **NEW YORK STATE**

For limited liability companies or partnerships (LLC's or LLP's) required to file a New York form IT-204-LL, this is the amount of your allocated share of "New York source gross income" from the partnership.

\*See Supplemental State Information on reverse side.

# **ICAHN ENTERPRISES, LP**

PARTNER NAME: SAPAN SHAH ACCOUNT NUMBER: 12705638

PARNTER FEDERAL ID/ENTITY: •••--•-3215 IRA/Sep/Keogh

CUSTODIAN FEDERAL ID: 04-3685560
PARTNERSHIP FEDERAL ID: 13-3398766

#### State Information (Due to rounding and other Federal and State differences, State totals may not agree to Federal totals) (1) Net Ordinary (2) (3) Net Income or Loss (-) from Rental Other Net Rental Income or Loss(-) (4) Total Section 1231 Gain/Loss(-) (5) Bonus Adjustment for (6) Alternative Minimum Tax (7) State Credits State Income or Loss (-) Real Estate Passive Activity Non-conforming States(-) Depreciation Adjustment (-) 0 0 AR 0 0 0 0 IΑ 0 0 0 0 0 0 0 KS 0 0 0 0 0 MO 0 0 0 0 0 0 NE 0 0 0 0 0 OK 0 0

\*See Supplemental State Information on reverse side.

## SUPPLEMENTAL K-1 SCHEDULE FOR TAX YEAR 2017

## ICAHN ENTERPRISES, LP

PARTNER NAME: SAPAN SHAH

ACCOUNT NUMBER: 12705638

PARTNER FEDERAL ID/ENTITY: •••-•-3215 IRA/Sep/Keogh

CUSTODIAN FEDERAL ID: 04-3685560 PARTNERSHIP FEDERAL ID: 13-3398766

IEP:

**FEIN** PTP Type of Activity Pass-through Schedule of Activities Icahn Enterprises LP 13-3398766 Trade or Business and Rental Х Х CVRR: CVR Refining LP 37-1702463 Trade or Business

THE TOTAL OF THE ITEMS BELOW MAY NOT AGREE TO THE TOTALS SHOWN ON SCHEDULE K-1 DUE TO ROUNDING DIFFERENCES. FOR EXAMPLE, THE SUM OF AMOUNTS FOR ITEM 1 - ORDINARY INCOME/(LOSS) - FOR THE TWO ACTIVITIES MAY NOT TOTAL THE AMOUNT SHOWN IN BOX 1 OF THE SCHEDULE K-1 DUE TO ROUNDING. IN ANY EVENT, YOU MUST REPORT THE AMOUNTS BY ACTIVITY, AS REPORTED ON THIS SCHEDULE. YOU CANNOT OFFSET PASSIVE INCOME FROM ONE ACTIVITY WITH PASSIVE LOSSES FROM ANY OTHER ACTIVITY.

IF YOU HAVE NET PASSIVE ACTIVITY INCOME FROM AN ACTIVITY (THE SUM OF ITEMS 1, 2 AND 10) - THAT INCOME MUST BE REPORTED ON YOUR FEDERAL INCOME TAX RETURN. IF THE SUM OF ITEMS 1, 2 AND 10 OF ANY ACTIVITY ARE A NET LOSS, THAT LOSS SHOULD BE SUSPENDED. YOU CANNOT CLAIM THAT LOSS ON YOUR 2017 FEDERAL INCOME TAX RETURN. KEEP TRACK OF YOUR PASSIVE LOSSES BY ACTIVITY AS YOU WILL BE ABLE TO USE THOSE LOSSES WHEN/IF THAT PARTICULAR ACTIVITY HAS PASSIVE INCOME IN SUBSEQUENT YEARS.

LINE	DESCRIPTION	IEP	CVRR
1	Ordinary business income (loss)	-4	-2
2	Net rental real estate income (loss)	4	0
3	Other net rental income (loss)	0	0
5	Interest income	17	0
6A	Ordinary dividends	2	0
6B	Qualified dividends	2	0
8	Net short-term capital gain (loss)	-4	0
9A	Net long-term capital gain (loss)	-14	0
10	Net section 1231 gain (loss)	47	0
	Swap and other income	0	0
	Section 988 income	0	0
11C	Sec. 1256 contracts and straddles	-2	0
13H	Net investment interest expense	45	0
	Deductions - portfolio (2%)	0	0
13T1	Gross receipts from all sources	0	16
	Domestic production gross receipts (DPGR)	0	15
13T3	Cost of goods sold from all sources	0	18
13T4	Cost of goods sold allocable to DPGR	0	16
13T5	Deductions, expenses, and losses allocable to non-DPGR activities	0	0
13T6	Deductions, expenses, and losses allocable to DPGR	0	0
	W-2 wages	0	0
16A	Name of country of U.S. possession	Various	
	Gross income from all sources	46	-2
16C	Gross income sourced at partner level	-20	0
16D	Foreign gross income sourced at partnership level - passive category	0	0
16G	Deductions allocated and apportioned at partner level - interest expense	45	0
16H	Deductions allocated and apportioned at partner level - other	0	0
16I	Deductions allocated and apportioned to foreign source income - passive category	0	0
16L	Foreign taxes paid	0	0
17A	Post-1986 depreciation adjustment	0	1
17B	Adjusted gain or loss	0	0
20	Other Information		
	A Investment income	17	0
	B Investment expenses	0	0
	V Unrelated business taxable income	-18	-2
	Y1 Share of Sect 951(a) incl from Icahn Fund Sub 1 LTD(#98-0545650)	0	0
	Y2 Share of Sect 951(a) incl from Icahn Fund Sub 2 LTD(#98-0545652)	0	0
	Y3 Share of Sect 951(a) incl from Icahn Fund Sub 3 LTD(#98-0545655)	0	0
	Y4 Share of Sect 951(a) incl from Icahn Fund Sub 4 LTD(#98-0545974)	0	0
	Z1 Amt incl in line 5 from dividends rec'd from mutual fund investments in U.S. govt obligations	0	0
	Z2 Net ordinary income included in Line 1	0	-2
	Z3 IEP trade or business income included in Line 1	-4	0
	Z4 Federal bonus depreciation adjustment in Line 1	0	1
	Z5 Nontaxable adjustment to beginning capital	<u> </u>	†

Dividends Received Deduction: With respect to the dividends shown on line 6A of the schedule K-1, 97.62% qualifies for the 70% corporate dividends received deduction.

For Corporate Partners, 0% of the qualified dividends on line 6B represents extraordinary dividends. See Internal Revenue Code Section 1059. Please consult your tax advisor.