

EXHIBIT 34

Message

From: Lawyer 1
Sent: 2/12/2016 11:27:37 PM
To: Roger Ver [roger@memorydealers.com]
CC: Return Preparer 1
Subject: Re: BTC clarifications

Dear Roger,

Thank you very much for the information. I think this gives us enough to estimate your BTC gains for these years. Return Preparer and I will confer on Monday to see if anything else is needed.

Best,

Lawyer 1

Law Firm 1

On 2016/02/12 15:20, Roger Ver wrote:

>> Can you estimate the number of BTCs in the wallet, either
>> (1) When MemoryDealers Japan first traded BTCs using that wallet or
>> (2) When you first gave your wife access to the wallet?
> I would guess Q4 of 2011, around 25,000 BTC at that time.
>
>> Could you give us an estimate of how many BTC you spent each month?
> The rate of BTC was not fixed.
> Even today, no one prices their goods in BTC. Everything is priced in USD, and then people pay the equivalent amount of bitcoin.
> In 2011, no one accepted bitcoin for anything. (\$0 worth spent personally per month)
> In 2012 there were almost no places to spend Bitcoin. (\$0 worth spent personally per month)
> In 2013 some places started accepting Bitcoin, (so maybe on the high end \$500 to \$1000 worth spent per month by me personally)
> In 2014 many more places started accepting Bitcoin (Maybe I spent \$1,000 to \$2,000 per month)
> In 2015 most online places accept Bitcoin, but I don't think this counts for the IRS any more.
>>
>> We will assume the basis in the BTCs was the average price of BTCs in the previous year.
>>
>> This lets us report a reasonable approximation of BTC gains.
> OK
>
>

>> On Feb 12, 2016, at 3:42 PM, Lawyer 1 wrote:

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>>
>> Dear Roger,
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>> Some followup questions below.
>>

>> Lawyer 1

>> Law Firm 1

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>> On 2016/02/12 11:13, Roger Ver wrote:

>>> Hi Lawyer 1,

>>>
>>> I'm sorry my answers below aren't more helpful.

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>>>> On Feb 12, 2016, at 2:14 PM, Lawyer 1 wrote:

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>>>>
>>>> Dear Roger,
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#189

>>>> I would like to make sure that we have a complete picture your BTC situation.

>>>>

>>>> Clarifying our understanding

>>>> 1. After you transferred the BTC wallet used for MemoryDealers Japan's BTC trades, all BTC trades that involved you were done through an entity of some kind (e.g. MemoryDealers USA, MemoryDealers Japan, [REDACTED], etc).

>>>>

>>>> For while I was still a US citizen, yes.

>>>>

>>>> 2. You had a personal BTC wallet from which you paid some of your expenses.

>>>>

>>>> Information requested

>>>> 1. For the BTC wallet used for MemoryDealer Japan's BTC trades, could you tell us

>>>> (1) the first date BTC trades from that wallet were deposited to MemoryDealer Japan's account

>>>> (2) the number of BTCs in the wallet at that time?

>>>> Sorry, I don't have records for this.

>> It's necessary for us to report something here, because at one point, the BTC wallet was under your sole control. Then at another point, the BTC wallet belonged to MemoryDealers Japan.

>>

>> Can you estimate the number of BTCs in the wallet, either

>> (1) When MemoryDealers Japan first traded BTCs using that wallet or

>> (2) When you first gave your wife access to the wallet?

>>>>

>>>> We will treat that date as the date you gave the BTC wallet to your wife. This will be reported as a gift.

>>>>

>>>> 2. For the personal BTC wallet you used to pay for personal expenses, are you able to find records of in and out for the wallet?

>>>> All of this was years before the IRS ruling and I don't have records for this either.

>>>> Could you give us an estimate of how many BTC you spent each month?

>>>>

>>>> We will assume the basis in the BTCs was the average price of BTCs in the previous year.

>>>>

>>>> This lets us report a reasonable approximation of BTC gains.

>>>>

>>>>

>>>> I ask this because when you use BTC to pay for something, the IRS treats it as a sale of BTC, which can give rise to gains or losses, even though you aren't trading with the wallet in the traditional sense.

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>>>> Best regards,

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>>>> Lawyer 1

>>>> Law Firm 1

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