

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ▶ **SEE ATTACHMENT 1**

18 Can any resulting loss be recognized? ▶ **SEE ATTACHMENT 1**

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ▶ **SEE ATTACHMENT 1**

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 ▶ Monica Brady Date ▶ 04/09/2019

Print your name ▶ Monica Brady Title ▶ Chief Financial Officer

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶			Firm's EIN ▶	
	Firm's address ▶			Phone no.	

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

PROPHASE LABS, INC.
TO FORM 9937
ATTACHMENT 1
WITH RESPECT TO RETURN OF CAPITAL DISTRIBUTIONS
MADE DURING THE CALENDAR YEAR 2018

Part II, Box 14

Prophase Labs, Inc. declared and paid cash dividends to shareholders of record on the dates shown below. Each of these dividends constituted a return of capital for U.S. Federal Income Tax purposes.

Nondividend distributions made to holders of ProPhase Labs Common Stock (Ticker Symbol: PRPH , CUSIP: 74345W108) were as follows:

Record Date	Payable Date	Distribution Rate per Share	Amount Constituting Return of Capital
05/21/2018	06/05/2018	\$1.00	100%

Part II, Box 15

Each shareholder that received a dividend with respect to a share held on the Record Date must reduce its tax basis in that share by 100% of the amount of the dividend received. To the extent that the dividends received exceed a shareholder's tax basis in the share, the excess will constitute taxable gain. Shareholders should consult their tax advisors with respect to the U.S. Federal tax treatment of any such gain as the tax treatment of the gain will depend on the shareholder's individual tax circumstances.

Part II, Box 16

Please see Part II, Box 15 above for a general description of a shareholder's change in basis calculation. The amount of the basis reduction described will be measured by the amount of cash distributions received.

Part II, Box 17

Tax consequences are determined under Sections 301(c) and 1001 of the Code.

Part II, Box 18

No tax loss will arise from the receipt of these cash distributions.

Part II, Box 19

Adjustments to the tax basis of stock (and of any taxable gain) resulting from these cash distributions are reportable in the tax period in which each distribution was received. For calendar year taxpayers, the reportable tax year for the aggregate distributions received is 2018.

Individual tax consequences may vary. Shareholders are urged to consult their own tax advisors. The information contained herein does not constitute tax advice. It is not intended or written to be used, and cannot be used, for the purpose of avoiding tax penalties or in the promotion, marketing, or recommendation of any transaction or matter addressed herein.