

Swank Jerry V  
Form 4  
July 03, 2008

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2005  
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Swank Capital, LLC

2. Issuer Name and Ticker or Trading Symbol  
Cushing MLP Total Return Fund [SRV]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
3300 OAK LAWN AVENUE, SUITE 650  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
07/02/2008

\_\_\_\_ Director  
\_\_\_\_ Officer (give title below)  Other (specify below)  
Affiliate

DALLAS, TX 75219

(City) (State) (Zip)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V Amount (A) or (D) Price			
Common Stock	07/02/2008		S	14,800 (1) D \$ 17.08	9,236 (2) (3)	I	See Footnote (4)

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

SEC 1474 (9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**



## Edgar Filing: Swank Jerry V - Form 4

The common shares of Cushing MLP Total Return Fund were sold by a private investment fund that is managed by Swank Energy Income Advisors, LP.

(2) The filing of this Form 4 shall not be construed as an admission that Mr. Jerry V. Swank ("Mr. Swank") is or was, for the purposes of Section 16(a) of the Securities Exchange Act of 1934, as amended, the beneficial owner of any of the common shares of Cushing MLP Total Return Fund that may be held by any private investment funds that are ultimately managed by Mr. Swank. Pursuant to Rule 16a-1, Mr. Swank disclaims such beneficial ownership beyond his pecuniary interest in these funds.

(3) In addition, Mr. Swank holds 4,000 common shares of Cushing MLP Total Return Fund in a personal account, which were previously reported on a Form 4 filed on 08/29/2007.

(4) An additional 4,000 common shares of Cushing MLP Total Return Fund are held by a second private investment fund that is also managed by Swank Energy Income Advisors, LP, as previously reported on a Form 4 filed on 10/25/07. Swank Energy Income Advisors receives an allocation of net profits and an asset based fee from these funds. Mr. Swank serves as the manager of the general partner of Swank Energy Income Advisors, LP.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.