

SECTION OF TAXATION
2016 MIDYEAR MEETING

JANUARY 28-30, 2016
JW MARRIOTT LA LIVE • LOS ANGELES, CA



FINAL PROGRAM





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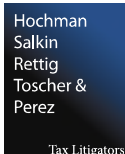
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As of January 8th, 2016



2016 MIDYEAR MEETING

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FUTURE MEETINGS / CLE CALENDAR



Section of Taxation CLE Calendar

DATE	PROGRAM	CONTACT INFO
February 29– March 4, 2016	2016 ABA/IPT Advanced Income, Sales/Use, and Property Tax Seminars The Ritz-Carlton New Orleans – New Orleans, LA	Tax Section www.americanbar.org/tax 202.662.8670
March 16-18, 2016	16th Annual Tax Planning Strategies – U.S. and Europe Excelsior Hotel Gallia – Milan, Italy	Tax Section www.americanbar.org/tax 202.662.8670
June 8-10, 2016	9th Annual U.S.-Latin America Tax Planning Strategies Mandarin Oriental – Miami, FL	Tax Section www.americanbar.org/tax 202.662.8670

Section of Taxation Meeting Calendar

DATE	PROGRAM	LOCATION
May 5-7, 2016	MAY MEETING	Grand Hyatt – Washington, DC
September 29–October 1, 2016	JOINT FALL CLE MEETING	Westin Boston Waterfront – Boston, MA
January 18-21, 2017	MIDYEAR MEETING	Hilton Bonnet Creek & Waldorf Astoria – Orlando, FL

WELCOME

GEORGE C. HOWELL, III
SECTION CHAIR



The Section of Taxation welcomes you to the **2016 Midyear Meeting** in Los Angeles, CA. We are pleased that you have decided to join us and we hope you take advantage of the opportunity to participate in high-level discussions and CLE programs on the latest developments in tax law.

Please note the following meeting highlights:

- **Hosted WELCOME RECEPTION** on Thursday
6:00PM – 7:00 PM in Salon E, Platinum Level
- **PLENARY SESSION & SECTION LUNCHEON** on Saturday with Keynote Speaker, Professor Edward D. Kleinbard
12:00PM – 1:30PM in Salon E, Platinum Level
- **SECTION PROGRAMS** Saturday afternoon on a broad range of hot topics

Stay connected with our **MOBILE MEETING APPLICATION**



Download the app by using your device to scan the QR code or visit <http://ambar.org/taxapps>

Use the app to view the program, create a personalized agenda, access the latest meeting materials, find speakers and fellow attendees, receive updates throughout the meeting and more!

TWITTER: JOIN THE CONVERSATION. Follow us [@ABATAXSECTION](https://twitter.com/ABATAXSECTION) and use [#TAXMIDYEAR](https://twitter.com/TAXMIDYEAR) to stay connected during the meeting.

WIRELESS INTERNET is available for attendees throughout the meeting space.

We hope you enjoy the meeting and we welcome your comments.

HIGHLIGHTS



WELCOME RECEPTION *(Complimentary)*

The Section will host a complimentary Welcome Reception for all attendees on Thursday evening, January 28, at 6:00pm in Salon E, Platinum Level. Come early and meet with your colleagues and with new members, network and discuss current topics of the day.

SECTION RECEPTION *(Ticketed Event)*

The Section Reception will take place on Friday, January 29, 6:30pm – 8:00pm, and will be held in The Ebell of Los Angeles. Enjoy great food and drinks with your colleagues and friends.

SECTION LUNCH & PLENARY SESSION *(Ticketed Event)*

The Section is pleased to announce that Professor Edward D. Kleinbard will address attendees of the **2016 Midyear Meeting** at the Section Luncheon on Saturday, January 30, from 12:00pm – 1:30pm at Salon E, Platinum Level. Attendees must purchase a ticket to attend the luncheon.

SECTION EXHIBITORS

Section Exhibitors will be open on Friday from 7:00am to 5:00pm and on Saturday from 7:00am to 2:00pm in Platinum Foyer, Platinum Level. The following organizations will have exhibit booths:

American Bar Endowment

Bloomberg BNA

Chapman University Fowler School of Law

ModioLegal

NERA Economic Consulting

Northwestern Pritzker School of Law Tax Program

Practical Law

Section of Taxation Publications

Section of Taxation Pro Bono / TAPS

REGISTRATION

Registration will be available in Platinum Foyer, Platinum Level. All individuals attending any part of the 2016 Midyear Meeting, including speakers, must register and pay the registration fee. Shared registrations are not permitted. Companions are defined as non-Section members not attending substantive meetings. Any companion attending substantive programs must register and pay either the Section member or non-Section member registration fee, whichever is applicable.

The registration fee includes exclusive access to the meeting materials website, mobile meeting application and permits registrants to attend all meetings, sessions and programs; however, it does not include meal functions and social events listed as "Ticketed Events." All ticketed events are sold on a first-come, first-served basis.



HIGHLIGHTS

ON-SITE REGISTRATION AND TICKET PURCHASE HOURS

The Registration Desk, located in Platinum Foyer, Platinum Level, will be open during the following hours:

Thursday:	12:00pm – 7:30pm
Friday:	6:30am – 6:30pm
Saturday:	6:30am – 2:00pm

BADGE IDENTIFICATION

RED Bar	Section Officers, Council Members, Committee Chairs, Task Force Chairs, Past Section Chairs
GREEN Bar	Government Officials/Guests
BLUE Bar	Young Lawyers
GRAY Bar	Law Students and LLM Candidates
ORANGE Bar	Companions
PURPLE Bar	First-time Attendees
YELLOW Badge	Press

HOSPITALITY CENTER

Complimentary continental breakfast will be served in the morning. Snacks, coffee, sodas and water will be available in the afternoon.

Location: Platinum Foyer, Platinum Level

Time:	Friday 7:00am – 4:00pm
	Saturday 7:00am – 4:00pm

PROGRAM GUIDE



HOW TO USE THIS PROGRAM

The program book is divided into three primary sections: Schedule at-a-Glance, Program Schedule and Alpha Index. The following is a description of each of these sections:

SCHEDULE AT-A-GLANCE (p. 7)

Lists all programs chronologically by start time, then alphabetically by committee name. Subcommittee meetings are listed under their committee. Use this guide to find programs beginning at a specific time.

Example: To find programs starting on Friday at 8:30am, go to the Schedule at-a-Glance section and locate the "Friday 8:30AM" programs. Here you can view the committees meeting at that time, the location, topic and the page number for the full program description in the Program Schedule.





PROGRAM SCHEDULE (p. 19)

Lists all programs chronologically by the start time, then alphabetically by committee names. Subcommittee meetings are listed under their committees. This section includes full program descriptions, speakers, locations and start and end times. The Schedule at-a-Glance and the Alpha Index will help you locate specific programs in this section.

ALPHA INDEX (p. 70)

Lists all committee programs alphabetically by committee name. Use this section to locate all programs hosted by a specific committee.

Example: To find all programs hosted by the Administrative Practice committee, go to the Alpha Index and locate "Administrative Practice." You will find a listing of all meetings and events hosted by the Administrative Practice committee. Go to the corresponding page number for more information.

-  = The Program Is Recorded
-  = The Program Will Appeal to Young Lawyers or Non-specialists
-  = Ethics Credits Has Been Requested
-  = No CLE Credit is Available



SCHEDULE AT-A-GLANCE

📺 = Taped ★ = Young Lawyers Program ⚖️ = Ethics Credits Requested 🚫 = No CLE Credit

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
THURSDAY 8:30AM			
Section of Taxation Officers & Council Meeting 🚫 (Executive Session)	Salon 5, Diamond Level	8:30AM – 3:00PM	19
THURSDAY 1:30PM			
Tax Bridge on the Road 📺★	Salon 6, Diamond Level	1:30PM – 6:00PM 1:30p – A Conversation With...🚫 2:00p – Nuts & Bolts: The Administrative Tax Controversy Case From Examination to Appeals 3:00p – Tax Court 101: Everything You Wanted To Know About Litigating Tax Cases 4:00p – Tax Careers in the Government 🚫 5:00p – Partnerships: The Fundamentals	19
THURSDAY 6:00PM			
State & Local Taxes Executive Committee Business Dinner Meeting 🚫 (Invitation Only)	Winston & Strawn LLP	6:00PM – 9:00PM	20
Welcome Reception 🚫★ (Complimentary)	Salon E, Platinum Level	6:00PM – 7:00PM	20
THURSDAY 6:30PM			
Partnerships & LLCs and Real Estate Committees Dinner 🚫 (Reservation; Advanced Payment Required)	Rosa Mexicano	6:30PM – 9:30PM	20
THURSDAY 7:00PM			
Administrative Practice Dinner 🚫 (Invitation Only)	The Palm	7:00PM – 9:00PM	20
First-Time Attendees Orientation and Careers in Tax Dinner 🚫★ (Invitation Only)	Salon 3, Diamond Level	7:00PM – 9:00PM Sponsored by: Northwestern Pritzker School of Law Tax Program	20
FRIDAY 7:15AM			
SPONSORED PROGRAM 🚫 (Complimentary) Breakfast Forum Presented by NERA Economic Consulting	Salon A, Platinum Level	7:15AM – 8:15AM Transfer Pricing Audits and Value Creation: The Importance of the Underlying Business Rationale 🚫	21
FRIDAY 7:30AM			
ACTC Board of Regents Meeting 🚫 (Executive Session)	Olympic 3, 3rd Floor, Hotel Tower	7:30AM – 9:00AM	21
Committee Chairs, Vice-Chairs, Officers & Council Breakfast 🚫 (Executive Session)	Salon 5, Diamond Level	7:30AM – 8:15AM	21

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 7:30AM (Continued)			
Exempt Organizations Subcommittee on Private Foundations, Unrelated Business Income and International Philanthropy	Salon 10, Diamond Level	7:30AM – 8:30AM Roundtable Discussion of Current Developments	21
Exempt Organizations Subcommittees on Religious Organizations and Political and Lobbying Organizations (Joint Meeting)	Salon E, Platinum Level	7:30AM – 8:30AM Roundtable Discussion of Current Developments	21
FRIDAY 8:00AM			
Capital Recovery & Leasing	Salon 8, Diamond Level	8:00AM – 10:00AM 8:00a – Current Developments Report and Update on Pending Guidance 8:30a – The Treatment of Lease Termination Costs Post- <i>ABC Beverage Corp</i> 9:15a – Tangible Property Regulations – Focus on Rev. Proc. 2015-56	22
Companions Breakfast (Complimentary)	Olympic 1, 3rd Floor, Hotel Tower	8:00AM – 9:00AM	22
Employee Benefits Subcommittee on Defined Contribution Plans	Salon 2, Diamond Level	8:00AM – 9:30AM Defined Contribution Plans Update	22
Employee Benefits Subcommittees on Executive Compensation and Fringe Benefits and Federal Securities Law	Salon 1, Diamond Level	8:00AM – 9:30AM Executive Compensation, Fringe Benefits and Federal Securities Law Update	23
FRIDAY 8:30AM			
Administrative Practice	Salon 3, Diamond Level	8:30AM – 11:30AM 8:30a – APA and the Administrative Process: How Has <i>Altera</i> Altered the Landscape? 9:15a – The Dawn of a New Era for Partnership Examinations 10:00a – Administrative Practice Important Developments 10:30a – Joint Session with State and Local Taxes: California Administrative Agencies and Effective Administrative Practice	23
Affiliated & Related Corporations	Salon 4, Diamond Level	8:30AM – 11:30AM 8:30a – The Use of Partnerships by Consolidated Groups (Part II) 10:00a – Several Liability and Related Issues	24
Banking & Savings Institutions	Salon H, Platinum Level	8:30AM – 11:30AM 8:30a – Recent Developments: STARS Transactions and Section 871(m) Issues and Concerns 9:30a – FATCA Updates for Financial Institutions 10:30a – Bank Regulatory Capital	25










SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 8:30AM (Continued)			
Closely Held Businesses	Salon I, Platinum Level	8:30AM – 11:30AM 8:30a – The Convergence of Immigration & Tax Issues for Closely Held Businesses: Opportunities and Pitfalls for Employers 10:00a – Worker Classification – What's Old is New Again	25
Estate & Gift Taxes	Salon 2, Gold Level	8:30AM – 11:30AM 8:30a – Current Developments 9:15a – Power to the People! An Exploration of the Uses of Powers of Appointment in Estate Planning 10:00a – Estate Planning in Hollywood: Special Considerations for Entertainment Clients 10:45a – Coming Soon to Your State: Community Property	26
Individual & Family Taxation	Salon J, Platinum Level	8:30AM – 11:30AM 8:30a – New Approaches and Alternatives to Innocent Spouse Relief 9:30a – Late Filed Returns 10:30a – Athletes, Entertainers and the IRS	26
Investment Management	Salon F, Platinum Level	8:30AM – 11:30AM 8:30a – Offshore Issues for Private Equity Funds 9:30a – Current Issues for Funds Investing in Index-Linked Financial Transactions 10:30a – Current Issues for Investment Companies	27
Partnerships & LLCs	Salon C, Platinum Level	8:30AM – 11:30AM 8:30a – Partnerships With Related Foreign Partners – Notice 2015-54 9:15a – Allocations and Varying Interests – The 706 Regulations 10:00a – What Am I? – Dual Status as Partner and Employee 10:45a – Hot Topics	28
Transfer Pricing	Salon B, Platinum Level	8:30AM – 10:30AM 8:30a – Media & Entertainment Considerations in Transfer Pricing 9:30a – REITs and Transfer Pricing: The IRS Takes Up the Welcome Mat	29
US Activities of Foreigners & Tax Treaties	Salon D, Platinum Level	8:30AM – 10:30AM 8:30a – Inbound IP Planning 9:30a – Advanced Withholding Taxation – A Guide for the Perplexed	29










SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 8:45AM			
Exempt Organizations 	Salon E, Platinum Level	8:45AM – 4:30PM 8:45a – Committee Business  9:00a – News from the IRS and Treasury 10:00a – Foundation Grants to Foreign Charities: A New Era Under the Final Equivalency Determination Regulations 11:15a – Difficult Public Support Test Issues 12:30p – Exempt Organizations Committee Luncheon (<i>Ticketed Event</i>)  2:00p – The Commerciality Doctrine: Blessing or Curse? 3:00p – Investing in the Future: What Does Mission Have to Do with It? 4:00p – Cash Bar 	30
FRIDAY 9:00AM			
Tax Policy & Simplification 	Salon 3, Gold Level	9:00AM – 10:30AM 9:00a – Marketplace Fairness Act	31
Young Lawyers Forum – 2016 Annual Law Student Tax Challenge  ★	Plaza 1 & 2, 3rd Floor, Hotel Tower	9:00AM – 12:00PM Semi-Final Rounds (<i>Open to the Public</i>)	31
FRIDAY 9:15AM			
Companion Activity  (<i>Ticketed Event</i>)	Sony Studios	9:15AM – 2:30PM VIP Tour at a Hollywood Movie Studio. Transportation to depart the JW Marriott LA Live at 9:15am. Attendees will return to the hotel after lunch.	32
FRIDAY 9:30AM			
Employee Benefits Subcommittee on Self-Correction, Determination Letters and Other Administrative Practices	Salon 6, Diamond Level	9:30AM – 11:00AM Employee Benefits Administrative Practices Update	32
Employee Benefits Subcommittee on Litigation, ESOPs and Fiduciary Responsibility and Plan Investments	Salon 7, Diamond Level	9:30AM – 10:30AM Employee Benefits Litigation Update	32
FRIDAY 9:45AM			
Employee Benefits Subcommittees on Multiple Employers, Professional Employer Organizations (PEOs) and Controlled and Affiliated Service Groups	Salon 10, Diamond Level	9:45AM – 10:45AM Employee Benefits Multiple Employers, PEOs and Controlled Groups Update	33
FRIDAY 10:00AM			
Employee Benefits Subcommittee on Welfare Plan and EEOC, FMLA and Leaves Issues	Salon 9, Diamond Level	10:00AM – 12:00PM Employee Benefits Welfare Plans, Cafeteria Plans and Reimbursement Accounts, and EEOC Issues Update	33



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 10:30AM			
Foreign Activities of US Taxpayers 	Salon D, Platinum Level	10:30AM – 12:30PM 10:30a – Taxing Foreign Goodwill & Going Concern Value under Section 367 11:30a – Tax Issues Arising in the Clouds: When the Digital Economy & International Tax Collide	34
State & Local Taxes and Transfer Pricing Joint Program 	Salon 4, Gold Level	10:30AM – 12:00PM 10:30a – BEPS and Transfer Pricing Implications for State and Local Tax	34
FRIDAY 11:00AM			
Distinguished Service Award  <i>(Executive Session)</i>	Atrium 2, 3rd Floor, Hotel Tower	11:00AM – 12:00PM	35
Employee Benefits Subcommittee on Distributions and Defined Benefit Plans	Salon 5, Diamond Level	11:00AM – 1:15PM Employee Benefits Defined Benefit Plan and Distributions Update	35
Employee Benefits Subcommittee on Exempt Organization and Governmental Plans	Salon 6, Diamond Level	11:00AM – 12:00PM Employee Benefits Exempt Organization and Governmental Plans Update	35
Employee Benefits Subcommittee on Fiduciary Responsibility	Salon 7, Diamond Level	11:00AM – 12:00PM Employee Benefits Fiduciary Responsibilities Update	36
Employee Benefits Subcommittee on Legislation	Salon 10, Diamond Level	11:00AM – 12:00PM Employee Benefits Legislative Update	36
Employee Benefits New Employee Benefits Attorneys Forum 	Salon 8, Diamond Level	11:00AM – 11:30AM Employee Benefits New Employee Benefits Attorneys Forum	37
Membership & Marketing 	Atrium 1, 3rd Floor, Hotel Tower	11:00AM – 12:00PM	37
Tax Compliance 	Georgia 1, 3rd Floor, Hotel Tower	11:00AM – 1:00PM	37
FRIDAY 11:30AM			
Appointments to the Tax Court  <i>(Executive Session)</i>	Atrium 3, 3rd Floor, Hotel Tower	11:30AM – 12:30PM	37
Court Procedure & Practice Roundtable 	Salon 1, Gold Level	11:30AM – 12:30PM 11:30a – Decision Documents and Their Aftermath	37
FRIDAY 12:00PM			
Corporate Tax and Affiliated & Related Corporations Luncheon  <i>(Ticketed Event)</i>	Salon A, Platinum Level	12:00PM – 1:30PM	39

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 12:00PM (Continued)			
Diversity Luncheon <i>(Ticketed Event)</i>	Olympic 3, 3rd Floor, Hotel Tower	12:00PM – 12:30PM	39
Employee Benefits Corporate Counsel Forum	Salon 9, Diamond Level	12:00PM – 12:45PM	37
Employee Benefits Subcommittee on ESOPs	Salon 8, Diamond Level	12:00PM – 1:00PM Employee Benefits ESOP Update	38
Employee Benefits Subcommittee on Mergers & Acquisitions	Salon 10, Diamond Level	12:00PM – 1:15PM Employee Benefits Mergers & Acquisitions Update	38
Employee Benefits Subcommittee on Multinational Employee Benefits & Compensation Issues	Salon 6, Diamond Level	12:00PM – 1:15PM Employee Benefits Multinational Employee Benefits & Compensation Issues Update	38
Nominating Committee <i>(Executive Session)</i>	Olympic 1, 3rd Floor, Hotel Tower	12:00PM – 2:30PM	39
State & Local Taxes Luncheon <i>(Ticketed Event)</i>	Salon 3, Gold Level	12:00PM – 12:30PM	39
FRIDAY 12:30PM			
Administrative Practice and Court Procedure and Practice Luncheon <i>(Ticketed Event)</i>	Salon 1, Diamond Level	12:30PM – 1:30PM <i>Speaker:</i> William J. Wilkins, Chief Counsel, IRS, Washington, DC	39
Banking and Savings Institutions, Financial Transactions, Insurance Companies, Investment Management and Tax Exempt Financing Luncheon <i>(Ticketed Event)</i>	Salon C, Platinum Level	12:30PM – 1:30PM <i>Speaker:</i> Jasper L. “Jack” Cummings, Jr., Alston & Bird LLP, Raleigh, NC	39
Civil & Criminal Tax Penalties Luncheon <i>(Ticketed Event)</i>	Salon 2, Diamond Level	12:30PM – 1:30PM <i>Speaker:</i> Caroline D. Ciraolo, Acting Assistant Attorney General, Tax Division, Department of Justice, Washington, DC	39
Diversity	Olympic 3, 3rd Floor, Hotel Tower	12:30PM – 1:30PM 12:30p – Elimination of Bias in the Profession: The LGBT Ally Toolkit	40
Estate & Gift Taxes and Fiduciary Income Tax Luncheon <i>(Ticketed Event)</i>	Salon 2, Gold Level	12:30PM – 1:30PM <i>Speaker:</i> Andrew D. Morton, Handler Thayer LLP, Washington, DC	40
Exempt Organizations Luncheon <i>(Ticketed Event)</i>	Salon E, Platinum Level	12:30PM – 1:30PM <i>Speaker:</i> Professor James M. Ferris, Director, The Center on Philanthropy and Public Policy at the University of Southern California, Los Angeles, CA	40



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 12:30PM (Continued)			
Foreign Activities of US Taxpayers, Transfer Pricing and US Activities of Foreigners & Tax Treaties Luncheon (Ticketed Event)	Salon D, Platinum Level	12:30PM – 2:30PM	40
Real Estate and Partnerships & LLCs Luncheon (Ticketed Event)	Salon B, Platinum Level	12:30PM – 1:30PM <i>Speakers:</i> Terence F. Cuff, Loeb & Loeb LLP, Los Angeles, CA	40
State & Local Taxes	Salon 3, Gold Level	12:30PM – 1:30PM 12:30p – The Multistate Tax Compact Under Fire: An Update on the California <i>Gillette v. Franchise Tax Board</i> Case and Litigation of This Issue in Other States	41
Young Lawyers Forum – 2016 Annual Law Student Tax Challenge ★	Plaza 1 & 2, 3rd Floor, Hotel Tower	12:30PM – 3:30PM Final Rounds (<i>Open to the Public</i>)	41
FRIDAY 1:30PM			
Employment Taxes	Salon J, Platinum Level	1:30PM – 5:30PM 1:30p – Federal Employment Tax Update 2:55p – Who's the Boss? Litigating Employment Tax Cases (<i>Note: this panel will be held in Salon C, Platinum Level.</i>) 3:45p – The Technology Industry and Fringe Benefits 4:45p – The Gig Economy and Worker Classification	41
Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee	Salon 1, Gold Level	1:30PM – 2:30PM 1:30p – Estate Planning Practice Issues: An Open Forum Discussion	42
Section CLE Committee	Atrium 3, 3rd Floor, Hotel Tower	1:30PM – 2:30PM	42
Standards of Tax Practice	Salon 3, Diamond Level	1:30PM – 4:00PM 1:30p – Ethical Issues in Federal Tax Practice – The Government Perspective 2:00p – Ethical Issues in Setting Engagement Terms 3:00p – Ethical Issues Arising in the Context of International Tax Planning	43
FRIDAY 2:00PM			
Closely Held Businesses	Salon H, Platinum Level	2:00PM – 5:00PM 2:00p – When the Past Is Not the Past: Cleaning Up Our Client's Past Bad Behavior 3:30p – Dealing with a Decedent's Tax Fraud: Cleaning up our Dead Client's Bad Behavior	44

**SCHEDULE
AT-A-GLANCE**



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 2:00PM (Continued)			
Diversity	Atrium 1, 3rd Floor, Hotel Tower	2:00PM – 4:15PM 2:00p – The Earned Income Tax Credit: Delivering the Anti-Poverty Mandate 3:00p – FATCA's Expanding Global Reach: A Concern for Big and Small	44
Employee Benefits	Salon 4, Diamond Level	2:00PM – 6:00PM 2:00p – DOL Proposed Fiduciary Regulation and Prohibited Transaction Exemptions 3:00p – Employee Classification under the ACA and NLRB Rules 4:00p – Hot Topics 5:00p – Treasury / IRS Fireside Chat 6:00p – Corporate Counsel Corner 6:00p – Networking Reception	45
Financial Transactions	Salon F, Platinum Level	2:00PM – 5:00PM 2:00p – All Things Bright and Beautiful: Applying the Final Section 871(m) Regulations Beyond Single Name NPCs 3:00p – The <i>Cottage Savings</i> Regulations Revisited 4:00p – The Straddle Rules at Middle Age	46
State & Local Taxes	Salon 4, Gold Level	2:00PM – 5:00PM 2:00p – Retroactive State Taxation: It's Back(ward)! 3:00p – Applying Deference in Tax Cases 4:00p – Sunlight as a Disinfectant versus the Possible Perils of Government in a Fishbowl: Transparency in Tax Administration and the Role of the Tax Department	46
FRIDAY 2:30PM			
Bankruptcy & Workouts	Georgia 2, 3rd Floor, Hotel Tower	2:30PM – 5:30PM 2:30p – Late Filed Return Judicial Doctrine and the IRS's Substitute for Return Process 3:30p – Bankruptcy Rules That Tax Practitioners Should Know: (Other than the 3 year, 240-day and 2-year Rules) 4:30p – Loss Planning for Corporate Taxpayers	47
Court Procedure & Practice	Salon C, Platinum Level	2:30PM – 5:30PM 2:30p – Current Developments 2:55p – Who's the Boss? Litigating Employment Tax Cases 3:40p – Disclosure, FOIA and Tax Litigation 4:25p – The Other Shoe is Dropping – Criminal Enforcement and Civil Assessment and Collection of FBAR and International Information Return Penalties	48
Insurance Companies	Salon 8, Diamond Level	2:30PM – 5:30PM 2:30p – P&C Loss Reserves 3:30p – International Reporting Issues 4:30p – Product Update	49



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
FRIDAY 2:30PM (Continued)			
Public Service Fellowship (Executive Session)	Salon 2, Diamond Level	2:30PM – 6:00PM	49
Real Estate	Salon 5, Diamond Level	2:30PM – 5:30PM 2:30p – Real Estate Intangibles 3:30p – Capital Gain Planning 4:15p – Fractions Rule Update 4:45p – Casualties and Condemnations	50
S Corporations	Salon 6, Diamond Level	2:30PM – 5:30PM 2:30p – Important Developments 3:00p – Pesky S Corporation M&A Issues 4:15p – State and Local Tax Issues Related to Mergers and Acquisitions of S Corporations	50
Tax Accounting	Salon 9, Diamond Level	2:30PM – 5:30PM 2:30p – Current Developments 3:15p – Timing of Deductions for Ratable Service Contracts 4:00p – Recent Developments Concerning the Research and Development Credit 4:45p – Recent Developments in Section 199	51
Tax Exempt Financing	Georgia 1, 3rd Floor, Hotel Tower	2:30PM – 5:30PM 2:30p – Legislative, Treasury and Internal Revenue Service Update 3:45p – Public / Private Partnerships: The Impact of the New Mixed Use Treasury Regulations on P3 Transactions 4:35p – Tax Issues in Seaport and Airport Financings: “It Is Not Always a Carnival When You Make a Deal with Royal Caribbean, Even If You Are Norwegian”	52
FRIDAY 3:00PM			
Foreign Lawyers Forum	Salon D, Platinum Level	3:00PM – 5:00PM 3:00p – The 2016 EU Tax Update - All You Can Eat in Just Two Hours	52
Sponsorships	Olympic 3, 3rd Floor, Hotel Tower	3:00PM – 4:00PM	53
Teaching Taxation	Salon 2, Gold Level	3:00PM – 4:30PM 3:00p – Inequality and Taxation	53
FRIDAY 4:00PM			
Companion Event Committee	Olympic 1, 3rd Floor, Hotel Tower	4:00PM – 4:30PM	53
Young Lawyers Forum ★	Salon 3, Gold Level	4:00PM – 5:30PM 4:00p – Solutions – A Law Student Tax Challenge (LSTC) Case Study	53

SCHEDULE AT-A-GLANCE



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Publications 🗣️	Salon 1, Diamond Level	4:30PM – 5:30PM	54
FRIDAY 5:30PM			
Diversity & Young Lawyers Forum Networking Reception 🗣️★	Salon 1, Gold Level	5:30PM – 6:30PM Sponsored by: Chapman University Fowler School of Law	54
Foreign Activities of US Taxpayers Business Meeting 🗣️ (Executive Session)	Atrium 3, 3rd Floor, Hotel Tower	5:30PM – 6:30PM	54
FRIDAY 5:45PM			
Foreign Lawyers Forum Business Meeting 🗣️ (Executive Session)	Olympic 1, 3rd Floor, Hotel Tower	5:45PM – 6:30PM	54
Transfer Pricing Business Meeting 🗣️ (Executive Session)	Atrium 2, 3rd Floor, Hotel Tower	5:45PM – 6:30PM	54
US Activities of Foreigners & Tax Treaties Business Meeting 🗣️ (Executive Session)	Olympic 3, 3rd Floor, Hotel Tower	5:45PM – 6:30PM	54
FRIDAY 6:30PM			
Section Reception 🗣️★ (Ticketed Event)	The Ebell of Los Angeles	6:30PM – 8:00PM	54
FRIDAY 8:00PM			
Joint International Committees Dinner 🗣️★ (Reservations Required)	Café Pinot	8:00PM – 10:00PM	54
SATURDAY 7:15AM			
Partnerships & LLCs/Real Estate/S Corporations “Shop Talking” Breakfast 🗣️ (Ticketed Event)	Salon A, Platinum Level	7:15AM – 8:30AM	55
SATURDAY 7:30AM			
Tax Practice Management 🗣️🗣️	Salon 3, Diamond Level	7:30AM – 8:30AM 7:30a – Social Media and the Tax Lawyer: An Update on Avoiding Ethical Traps ⚖️	55
SATURDAY 7:45AM			
Court Procedure & Practice Officers and Subcommittee Chairs Breakfast 🗣️ (Ticketed Event)	Salon 5, Diamond Level	7:45AM – 9:00AM	55



SCHEDULE AT-A-GLANCE

COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
SATURDAY 8:30AM			
Employee Benefits	Salon 4, Diamond Level	8:30AM – 11:30AM 8:30a – Hot Topics for Proxy Season 2016 9:30a – Current and Future Developments Under the Affordable Care Act and for Health and Welfare Plans: Information Reporting, Market Reforms, Wellness Plans, and the Cadillac Tax 10:30a – Upcoming US Supreme Court Decisions	55
Fiduciary Income Tax	Salon 9, Diamond Level	8:30AM – 11:30AM 8:30a – Current Developments 8:45a – Strategies for Dealing with Trust UNI: How to Prevent Income Tax Armageddon 9:35a – The Beneficiary Defective Irrevocable Trust (“BDIT”) – How Does It Work and Who Is It Best Suited For? Should You Just BDIT? 10:50a – What the FATCA? An Update on Foreign and Informational Reporting Relevant to Estate Planners	56
LLCs and LLPs Subcommittee of Partnerships & LLCs	Salon F, Platinum Level	8:30AM – 10:30AM 8:30a – Use of Section 336(e) Elections by Pass-through Entity Acquirers 9:30a – Dual Status Partners	57
Pro Bono & Tax Clinics	Salon I, Platinum Level	8:30AM – 11:30AM 8:30a – Earned Income Credit Issues and Updates 9:45a – National Taxpayer Advocate's Annual Report to Congress 10:30a – Immigration Issues	57
Sales, Exchanges & Basis ★	Salon C, Platinum Level	8:30AM – 11:30AM 8:30a – Current Developments in Sales, Exchanges & Basis★ 9:00a – Section 1031 Transactions, California-Style 9:40a – A Close Examination of the Intermediary Installment Sale Transactions 10:20a – Can the Tenant Provide Tax-Free Financing of the Landlord's Construction Costs? 11:00a – Tax-Deferred Exchanges of Franchisees' and Distributors' Rights	58
State & Local Taxes Practitioners Roundtable (Executive Session)	Salon D, Platinum Level	8:30AM – 10:30AM	59

SCHEDULE AT-A-GLANCE



COMMITTEE/PROGRAM	LOCATION	TOPIC(S)/TIME(S)	PAGE
SATURDAY 8:45AM			
Civil & Criminal Tax Penalties 📄 🗨️	Salon 1, Diamond Level	8:45AM – 11:45AM 8:45a – Reports of Subcommittees on Important Developments 9:05a – To File or Not to File – That is the Question 🗨️ 9:55a – Civil and Criminal Employment Tax Enforcement Efforts – Employers Beware 10:50a – Litigating the Accuracy Penalty	59
Corporate Tax 📄	Salon 6, Diamond Level	8:45AM – 11:45AM 8:45a – Current Developments 9:45a – “Mere Change”: The New Final Section 3 68(a)(1)(F) Regulations 10:45a – “Tightening the Noose”: IRS Proposes Regulations on Outbound Transfers of Foreign Goodwill and Workforce in Place	60
SATURDAY 10:00AM			
Companion Activity 🗨️ (Ticketed Event)	The Getty Museum	10:00AM – 1:00PM Private Group Tour of the Getty Museum. Transportation to depart the JW Marriott LA Live at 9:00am.	61
SATURDAY 10:30AM			
State & Local Taxes: Publication Subcommittees 🗨️	Salon D, Platinum Level	10:30AM – 11:00AM	61
SATURDAY 11:00AM			
State and Local Taxes Vice-Chairs’ Planning Meeting 🗨️ (Executive Session)	Salon F, Platinum Level	11:00AM – 12:00PM	61
SATURDAY 12:00PM			
Section Luncheon/Plenary Session 🗨️ ★ (Ticketed Event)	Salon E, Platinum Level	12:00PM – 1:30PM <i>Speaker:</i> Professor Edward Kleinbard, University of Southern California Gould School of Law, Los Angeles, CA	62
SATURDAY 2:00PM			
Section Program Presented by Teaching Taxation 📄 ★	Salon C, Platinum Level	2:00PM – 5:00PM Current Developments in Individual, Corporate, Partnership and Estate & Gift Taxation	62
Section Program Presented by Court Procedure and Practice 📄 ★	Salon A, Platinum Level	2:00PM – 5:00PM Nuts & Bolts of Tax Court Litigation 2:00p – Pre-trial Practice 3:00p – Trial 4:00p – Post-trial Practice	63



PROGRAM SCHEDULE THURSDAY, JANUARY 28

8:30AM – 3:00PM

Salon 5, Diamond Level

Officers & Council Meeting (Executive Session)

1:30PM – 6:00PM

Salon 6, Diamond Level

Tax Bridge on the Road ★

Sponsored by: Young Lawyers Forum and Diversity.

Program Co-Chairs: Kelley C. Miller, Reed Smith LLP, Washington DC; Cathy Fung, Office of Chief Counsel (Large Business & International), IRS, Washington, DC

- 1:30pm **A Conversation with...** One of the Section's most esteemed members sits down for an in-depth discussion of his practice, his history with the Section, and the latest developments in tax law.
- 2:00pm **Nuts & Bolts: The Administrative Tax Controversy Case From Examination to Appeals.** This panel will provide a practical discussion on how to effectively represent clients during examination and Appeals conferences. The panelists will discuss various issues that arise during an administrative tax controversy case including effective negotiation strategies for examinations, alternative dispute resolution mechanisms and the Appeals process.
Moderator: Jairo G. Cano, Agostino & Associates PC, Hackensack, NJ
Panelists: James R. Gadwood, Sullivan & Cromwell, New York, NY; Ted B. Meyer, (former) Examination Territory Manager (SB/SE), IRS, Los Angeles, CA; Cory Stigile, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA; Adriana Lofaro Wirtz, Cooley LLP, New York, NY
Co-Sponsored by: Administrative Practice
- 3:00pm **Tax Court 101: Everything You Wanted To Know About Litigating Tax Cases.** This panel will provide an overview of litigation before the US Tax Court. Topics to be covered include the structure of the Court, the Court's role in adjudicating tax disputes, a comparison of the Court to other judicial forums, understanding the notice of deficiency, how to prepare and review Tax Court pleadings, how to make and respond to motions directed to the pleadings, discovery, and negotiation of the stipulation of facts.
Moderator: Kelley C. Miller, Reed Smith LLP, Washington, DC
Panelists: Kathleen Gregor, Ropes & Gray, Boston, MA; Lawrence Sannicandro, Agostino & Associates PC, Hackensack, NJ
Co-Sponsored by: Court Procedure and Practice
- 4:00pm **Tax Careers in the Government.** A panel of current and former government attorneys will discuss the many different tax careers and career paths available in the government. The panelists will focus on the benefits of a tax career in the government and offer suggestions for thriving in government positions.
Moderator: Cathy Fung, Office of Chief Counsel (Large Business & International), IRS, Washington, DC
Panelists: The Honorable Cary Douglas Pugh, Judge, US Tax Court, Washington, DC; Diana L. Erbsen, Deputy Assistant Attorney General for Appellate and Review, Tax Division, Department of Justice, Washington, DC; Matthew S. Cooper, EY, Washington, DC; Heather D. Horton, Assistant Division Counsel, Office of Chief Counsel (Small Business/Self-Employed), IRS, Washington, DC

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PROGRAM SCHEDULE

THURSDAY, JANUARY 28



5:00pm Partnerships: The Fundamentals. This program will explore a number of entity classification concerns, including concerns related to publicly traded partnerships. The panelists will focus on allocations of taxable income and loss among the partners, including substantial economic effect requirements under section 704(b). The panelists will also discuss the use of targeted tax allocations to simplify tax allocation provisions in the partnership agreement, contributions to the partnership including ways to address the disparity between the fair market value of contributed property and its basis under section 704, and distributions from the partnership to its partners.

Moderator: Michael Hirschfeld, Dechert LLP, New York, NY

Panelists: Alfred Bae, KPMG, Houston, TX; Philip Hirschfeld, Ruchelman PLLC, New York, NY; Bahar Schippel, Snell & Wilmer LLP, Phoenix, AZ; Jeanne Sullivan, KPMG, Washington, DC

Co-Sponsored by: Partnerships & LLCs and Real Estate

6:00PM – 9:00PM

Winston & Strawn LLP

State & Local Taxes Executive Committee Business Dinner Meeting 🍷 (Invitation Only)

Meeting of Committee Officers & Subcommittee Chairs and invited guests

Chair: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA

6:00PM – 7:00PM

Salon E, Platinum Level

Welcome Reception 🍷 ★ (Complimentary)

6:30PM – 9:30PM

Rosa Mexicano

Partnerships & LLCs and Real Estate Committees Dinner 🍷 (Reservation Required)

Members of the Real Estate Committee and the Partnerships & LLCs Committee will meet for cocktails and dinner at Rosa Mexicano – 800 W Olympic Blvd, Los Angeles, CA 90015. Cocktails (cash bar) will begin at 6:30pm, followed by dinner at 7:30pm. Reservations and advance payment will be required. For details, please visit the Partnerships & LLCs or Real Estate Committee Pages.

7:00PM – 9:00PM

The Palm

Administrative Practice Dinner 🍷 (Invitation Only)

7:00PM – 9:00PM

Salon 3, Diamond Level

First-Time Attendees Orientation and Careers in Tax Dinner 🍷 ★ (Invitation Only)

Sponsored by: Northwestern Pritzker School of Law Tax Program



PROGRAM SCHEDULE FRIDAY, JANUARY 29

7:00AM – 4:00PM

Platinum Foyer, Platinum Level

Hospitality Center (Complimentary)

Continental breakfast will be served in the morning. Snacks, coffee, sodas and water will be available in the afternoon.

SPONSORED PROGRAM

7:15AM – 8:15AM

Salon A, Platinum Level

Breakfast Forum Presented by NERA Economic Consulting (Complimentary)

Transfer Pricing Audits and Value Creation: The Importance of the Underlying Business Rationale

Transfer pricing cases are usually won or lost on the facts. In NERA's experience, the key to effective resolution of transfer pricing audit disputes is a credible and convincing narrative as to what drives profits, based on analysis of functions, assets, and risks along with supporting financial information and regulatory context. It is essential to integrate the value chain analysis and the underlying economics of the business. With the introduction of country-by-country reporting under OECD's BEPS initiative—which may lead to misperceptions of the roles and responsibilities and contribution to value creation by the members of a global organization— understanding and quantifying contributions to the value chain consistent with the underlying economics of the business becomes even more important. Our panel will present examples of value chains and profit metrics from actual case studies, showing the potentially differing perspectives of taxpayers and tax authorities regarding value chains and value creation.

7:30AM – 9:00AM

Olympic 3, 3rd Floor, Hotel Tower

ACTC Board of Regents Meeting (Executive Session)

7:30AM – 8:15AM

Salon 5, Diamond Level

Committee Chairs, Vice-Chairs, Officers & Council Breakfast (Executive Session)

7:30AM – 8:30AM

Salon 10, Diamond Level

Exempt Organizations Subcommittee on Private Foundations, Unrelated Business Income and International Philanthropy

Chairs: LaVerne Woods, Davis Wright Tremaine LLP, Seattle, WA; Robin Krause, Patterson Belknap Webb & Tyler LLP, New York, NY; Victoria B. Bjorklund, Simpson Thacher & Bartlett LLP, New York, NY; Tamara Watts, Bill & Melinda Gates Foundation, Seattle, WA; Ofer Lion, Seyfarth Shaw LLP, Los Angeles, CA; James P. Joseph, Arnold & Porter LLP, Washington, DC

7:30am **Roundtable Discussion of Current Developments**

7:30AM – 8:30AM

Salon E, Platinum Level

Exempt Organizations Subcommittees on Religious Organizations and Political and Lobbying Organizations (Joint Meeting)

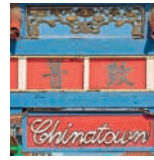
Chairs: Michael W. Durham, Kirton McConkie PC, Salt Lake City, UT; Thomas E. Wetmore, General Conference of Seventh-Day Adventists, Silver Spring, MD; Rosemary E. Fei, Adler & Colvin, San Francisco, CA; Elizabeth J. Kingsley, Harmon Curran Spielberg + Eisenberg LLP, Washington, DC

7:30am **Roundtable Discussion of Current Developments**

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PROGRAM SCHEDULE

FRIDAY, JANUARY 29



8:00AM – 10:00AM

Salon 8, Diamond Level

Capital Recovery & Leasing

Chair: Alison Jones, EY, Washington, DC

- 8:00am **Current Developments Report and Update on Pending Guidance.** This panel will cover the important recent developments in the areas of capital recovery and leasing.
Moderator: David Strong, Crowe Horwath LLP, Grand Rapids, MI
Panelists: Kathleen Reed, Branch Chief, Branch 7, Income Tax & Accounting, IRS, Washington, DC; Scott Dinwiddie, Special Counsel, Associate Chief Counsel – Income Tax & Accounting, IRS, Washington, DC; Richard Shevak, Cohn Reznick, Roseland, NJ
- 8:30am **The Treatment of Lease Termination Costs Post-ABC Beverage Corp.** This panel will discuss the Sixth Circuit's decision in *ABC Beverage Corp. v. United States* and its potential impact on the treatment of lease termination costs in a variety of scenarios.
Moderator: Glenn Johnson, EY, Washington, DC
Panelists: Neville Jiang, Attorney, Office of Chief Counsel, Income Tax & Accounting, IRS, Washington, DC; Kate Abdo, GE Corporate Tax, Stamford, CT
- 9:15am **Tangible Property Regulations – Focus on Rev. Proc. 2015-56.** This panel will focus on the tangible property regulations specifically with respect to Rev. Proc. 2015-56, the recently released guidance pertaining to remodel and refresh activities performed by taxpayers in the retail and restaurant industries.
Moderator: Brandon Carlton, EY, Washington, DC
Panelists: Kathleen Reed, Branch Chief, Branch 7, Income Tax & Accounting, IRS, Washington, DC; Scott Dinwiddie, Special Counsel, Associate Chief Counsel – Income Tax & Accounting, IRS, Washington, DC; Rayth Myers, EY, Washington, DC

8:00AM – 9:00AM

Olympic 1, 3rd Floor, Hotel Tower

Companions Breakfast (Complimentary)

8:00AM – 9:30AM

Salon 2, Diamond Level

Employee Benefits Defined Contribution Plans Update

Presented by the Subcommittee on Defined Contribution Plans

Chair: Matthew Eickman, Qualified Plan Advisors, Overland Park, KS

Vice-Chairs: Puneet K. Arora, Towers Watson, Arlington, VA; Sarah J. Touzalin, Seyfarth Shaw LLP, Chicago, IL

Assistant Vice-Chairs: Annemarie McGavin, Buchanan Ingersoll, Washington, DC; Heather Stone Fletcher, Echert Seamans, Pittsburgh, PA

Immediate Past Chair: Bret Hamlin, Hill Ward Henderson, Tampa, FL

This meeting will examine recent and pending regulatory and enforcement activity relating to section 401(k) plans and other defined contribution plans. It will also include a discussion of recent litigation relating to and impacting defined contribution plans, as well as emerging issues.

Panelists: William Evans, Attorney Advisor, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC; Additional Panelists TBD



PROGRAM SCHEDULE FRIDAY, JANUARY 29

8:00AM – 9:30AM

Salon 1, Diamond Level

Employee Benefits Executive Compensation, Fringe Benefits and Federal Securities Law Update

Presented by the Subcommittees on Employee Benefits Executive Compensation and Fringe Benefits and Federal Securities Law

Chairs: Elizabeth Drigotas, Deloitte Tax LLP, Washington, DC; Charmaine L. Slack, Jones Day, New York, NY

Vice-Chairs: Sandy Shurin, Deloitte Tax LLP, New York, NY; Jeffrey Lieberman, Weil Gotshal & Manges LLP, New York, NY; Jessica Page, Meridian Compensation Consultants, Lake Forest, IL

Assistant Vice-Chairs: Curtis Fisher, Bass Berry & Sims, Nashville, TN; Ali Fawaz, Proskauer, New York, NY

Immediate Past Chairs: Adam B. Cohen, Sutherland Asbill & Brennan LLP, Washington, DC; Gail W. Stewart, Baker Botts LLP, Houston, TX

This meeting we will review nonqualified deferred compensation for nonprofits subject to section 457(f), in anticipation of guidance in this area, as well as unique corporate governance considerations and the impact of recent Dodd-Frank changes on tax-exempt organizations. In addition, we talk about the proposed regulations under section 707 and how they affect compensation arrangements with partners and partnerships. We will also address other recent executive compensation developments and will have an update from government representatives on the current executive compensation projects underway at Treasury and the IRS.

Panelists: Ralph E. DeJong, McDermott Will & Emery LLP, Chicago, IL; Elizabeth Drigotas, Deloitte Tax LLP, Washington, DC; Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Tax Exempt and Government Entities, IRS Office of Chief Counsel, Washington, DC (Invited); Robert Neis, Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited)

8:30AM – 11:30AM

Salon 3, Diamond Level

Administrative Practice 

Chair: George Hani, Miller & Chevalier, Washington, DC

8:30am APA and the Administrative Process: How Has *Altera* Altered the Landscape?

The Tax Court's reviewed decision in *Altera Corp. v. Commissioner*, 145 T.C. No. 3, regarding application of the Administrative Procedure Act ("APA") to Treasury regulations, has left observers wondering how Treasury will respond to the Court's heightened review of its rulemaking authority. Whether the Court's unanimous adoption of APA standards of judicial review for regulations will affect other frequent areas of tax disputes – such as individual determinations involving collection due process cases or deficiency notices – is also an unknown possibility. This panel will discuss the future of the APA in the tax administrative process and bring awareness of general APA issues tax practitioners should be mindful of.

Moderator: Jeremiah Coder, Greenberg Traurig, Washington, DC

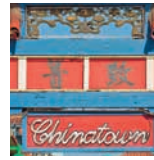
Panelists: Alexandra Minkovich, Baker & McKenzie, Washington, DC; Professor Steve Johnson, Florida State University College of Law, Tallahassee, FL; Michael Desmond, The Law Offices of Michael J. Desmond, Santa Barbara, CA

9:15am The Dawn of A New Era for Partnership Examinations. The Bipartisan Budget Act of 2015 repealed TEFRA and the "electing large partnership" rules and adopted a new regime for auditing partnerships. A key piece of the new regime is that the tax, interest, and penalties resulting audit adjustments will be assessed at the partnership level (unless the partnership elects otherwise). The new rules will take effect for tax

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PROGRAM SCHEDULE

FRIDAY, JANUARY 29



years beginning after December 31, 2017. Many details of how the new regime will operate will be left to future IRS guidance. This panel will discuss the regime as laid out in the statute and discuss areas where additional guidance will be necessary.

Moderator: Kevin M. Johnson, Pepper Hamilton, Philadelphia, PA

Panelists: Rochelle Hodes, Associate Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Mary McNulty, Thompson & Knight, Dallas, TX

10:00am Administrative Practice Important Developments. This panel will discuss current developments and topics of immediate interest in tax administrative practice. Panel will focus on recent Treasury and IRS guidance, court decisions, ongoing litigation, or any other items germane to tax administration.

Moderator: Shamik Trivedi, Grant Thornton, Washington, DC

Panelists: Rochelle Hodes, Associate Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Drita Tonuzi, Associate Chief Counsel (Procedure and Administration), IRS, Washington, DC

10:30am Joint Session with State and Local Taxes: California Administrative Agencies and Effective Administrative Practice. This panel, comprised of the Chief Counsels of the California Franchise Tax Board and the State Board of Equalization and private sector experts, will discuss notable differences between state and federal administrative procedures, as well as an overview of current developments and notable recent events.

Moderator: Valerie Dickerson, Deloitte Tax LLP, Washington, DC

Panelists: Randy Ferris, Chief Counsel, State Board of Equalization, Sacramento, CA; Jozel Brunett, Chief Counsel, Franchise Tax Board, Sacramento, CA; Charles J. Moll, Winston & Strawn LLP, San Francisco, CA

Co-Sponsored by: State and Local Taxes

8:30AM – 11:30AM

Salon 4, Diamond Level

Affiliated & Related Corporations 

Chair: Matthew K. White, KPMG LLP, Washington, DC

8:30am The Use of Partnerships by Consolidated Groups (Part II). This panel, which is the continuation of the panel from the September meeting in Chicago, will explore how Subchapter K intersects with the consolidated return regulations and among other things will consider partnership incorporations, the sale and purchase of partnership interests, partnership terminations, and the use of partnerships in breaking affiliation and in Granite Trust planning.

Moderator: Professor Don Leatherman, University of Tennessee College of Law, Knoxville, TN

Panelists: Lawrence M. Axelrod, Special Counsel, IRS Office of Associate Chief Counsel (Corporate), Washington, DC; Kevin Babitz, Attorney, IRS Office of Associate Chief Counsel (Passthroughs & Special Industries), Washington, DC; Becky Holtje, KPMG LLP, Alexandria, VA; Philip B. Wright, Bryan Cave LLP, St. Louis, MO



PROGRAM SCHEDULE FRIDAY, JANUARY 29

10:00am **Severall Liability and Related Issues.** This panel will explore several liability of members under Treas. Reg. Sec. 1.1502-6, the interplay of federal regulatory liability and state law liability in the context of M&A transactions, and related financial reporting issues.

Moderator: Timothy S. Shuman, McDermott Will & Emery LLP, Washington, DC

Panelists: Mark Schneider, Deloitte Tax LLP, Washington, DC; Andrew Turney, McDermott Will & Emery LLP, Los Angeles, CA; Dave Ware, Tyco International, Princeton, NJ

8:30AM – 11:30AM

Salon H, Platinum Level

Banking & Savings Institutions

Chair: Anthony J. Tuths, WithumSmith+Brown, PC, New York, NY

8:30am **Recent Developments: STARS Transactions and Section 871(m) Issues and Concerns.** This panel will review the various court decisions around the US involving STARS transactions and related foreign tax credit transactions. The panel will also assess the pending U.S. Supreme Court petition. Additionally, the panel will review the Section 871(m) regulations with an emphasis on bank implementation and the problems that may arise.

Panelists: Anthony J. Tuths, WithumSmith+Brown PC, New York, NY; Henry Stow Lovejoy, Kostelanetz & Fink LLP, New York, NY

9:30am **FATCA Updates for Financial Institutions.** This panel will discuss current developments relating to the application of FATCA to participating foreign financial institutions. Topics will include current state of IGAs, effective dates to complete due diligence, withholding, reporting, documentation and record-keeping.

Panelists: Denise Hintzke, Deloitte Tax LLP, New York, NY; Yoram Keinan, Carter Ledyard & Milburn LLP, New York, NY

10:30am **Bank Regulatory Capital.** This panel will address various issues arising from Basel III and the new rules regarding Total Loss Absorbency Capacity (TLAC). Topics will include bad debt deferrals, debt v. equity, and contingent capital or bail-in debt. Other topics to be addressed will include FHLB stock redemptions and bad debt realized built-in loss (RBIL) issues.

Panelists: John Taylor, EY, Phoenix, AZ; Richard Larkins, EY, Washington, DC; Mark Price, KPMG, Washington, DC

8:30AM – 11:30AM



Salon I, Platinum Level

Closely Held Businesses

Chair: Shelby L. Wilson, Berchem Moses & Devlin PC, Westport, CT

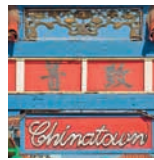
8:30am **The Convergence of Immigration & Tax Issues for Closely Held Businesses: Opportunities and Pitfalls for Employers.** Since 2008 immigration and worker status has become a significant focus of the federal government, and employers are now under more pressure than ever to make sure their workers have the proper documentation. When combined with employer misclassification and tax issues and this area becomes a literal minefield for employers. This panel will discuss the government's focus on this area and its use of I9 examinations, and what employers can do to protect themselves and the consequences if they fail to clean up this issue.

Panelists: William Velie, Velie Law Firm, Norman, OK; Megan L. Brackney, Kostelanetz & Fink LLP, New York, NY

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PROGRAM SCHEDULE

FRIDAY, JANUARY 29



10:00am Worker Classification – What's Old Is New Again. Worker classification continues to be an important topic. Hear the latest from the IRS and private practitioners on why misclassification is important, the risks involved, section 530 relief, the Voluntary Classification Settlement Program, a State example (California), an industry example (professional practices), and the new Department of Labor initiatives as they relate to IRS views.

Panelists: Janine Cook, Deputy Associate Chief Counsel (Tax Exempt and Government Entities), IRS Office of Chief Counsel, Washington, DC; Betty J. Williams, Law Office of Williams & Associates PC, Sacramento, CA; William P. Prescott, Wickens Herzer Panza Cook & Batista Co., Avon, OH

8:30AM – 11:30AM

Salon 2, Gold Level

Estate & Gift Taxes

Chair: Laura S. Hundley, Holland & Hart LLP, Boulder, CO

8:30am Current Developments. This panel will review developments in federal estate, gift and generation-skipping transfer tax laws since September 2015.

Panelists: Catherine V. Hughes, Office of Tax Policy, Department of Treasury, Washington, DC; Jeffrey D. Chadwick, Winstead PC, The Woodlands, TX; Elizabeth R. Glasgow, Venable LLP, Los Angeles, CA and New York, NY; Helen E. Rogers, Holland & Hart LLP, Denver, CO

9:15am Power to the People! An Exploration of the Uses of Powers of Appointment in Estate Planning. This panel will review the extent to which estate planning vehicles can be dramatically changed through the use of powers of appointment, and the obstacles to using powers of appointment in various circumstances.

Panelists: Chang H. Chae, Hoffman Sabban & Watenmaker APC, Los Angeles, CA; Stephanie D. Zaffos, Convergent Wealth Advisors, Los Angeles, CA

10:00am Estate Planning in Hollywood: Special Considerations for Entertainment Clients.

This panel will review the unique aspects of an estate plan for an entertainment client – including planning techniques that address deferred compensation arrangements (including royalties, participations, residuals and loan out corporations), intellectual property and the right of publicity.

Panelists: Michele M. Mulrooney, Venable LLP, Los Angeles, CA and San Francisco, CA; Elizabeth R. Glasgow, Venable LLP, Los Angeles, CA and New York, NY

10:45am Coming Soon to Your State: Community Property. This presentation will cover basic principles of community property law geared towards lawyers practicing in common law states, and will address the legal and tax treatment of community property when one or both members of the couple move to or reside in a common law state.

Panelists: Nicole M. Pearl, McDermott Will & Emery LLP, Los Angeles, CA; Andrew M. Copans, McDermott Will & Emery LLP, Los Angeles, CA

8:30AM – 11:30AM

Salon J, Platinum Level

Individual & Family Taxation

Chair: Phyllis Horn Epstein, Epstein Shapiro & Epstein PC, Philadelphia, PA

8:30am New Approaches and Alternatives to Innocent Spouse Relief. In cases where spouses are still married but separated, the filing of a joint return by one spouse without the consent of the other creates substantial hurdles for the non-consenting spouse. This can result in delayed refunds, rejected original returns, and even tax



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liabilities against the non-consenting spouse. Before turning to Innocent Spouse Relief, are there alternatives that should be in your arsenal? This panel will focus on best practices in resolving these cases administratively or in US Tax Court as well as considerations in deciding whether to pursue an Innocent Spouse Relief claim instead. This panel will also discuss the recent California state law changes to Innocent Spouse Relief that offer a new model for facilitating access to relief at the state level.

Moderator: Lany L. Villalobos, Philadelphia Legal Assistance, Philadelphia, PA

Panelists: George Willis, Chapman University Tax Law Clinic, Orange, CA; Steven M. Roth, Senior Counsel, Chief Counsel-SBSE, IRS, Thousand Oaks, CA; Susan Morgenstern, Taxpayer Advocate Service, Cleveland, OH; Additional Panelist TBD

Co-Sponsored by: Pro Bono & Tax Clinics

9:30am Late Filed Returns. The late filed returns judicial doctrine barring discharge: A review of the US Circuit Court of Appeals decisions eviscerating the Bankruptcy Code's two-year rule for the discharge of tax liabilities on late filed returns. An examination of the opinions of the US Circuit Court of Appeals and Bankruptcy Court decisions going in the other direction. Defining the controversy.

Moderator: Phyllis Horn Epstein, Epstein Shapiro & Epstein PC, Philadelphia, PA

Panelists: Frances D. Sheehy, Law Office of Frances D. Sheehy, Coconut Creek, FL; Kenneth C. Weil, Seattle, WA; Wm. Robert Pope, Jr., White & Reasor PLC, Nashville, TN

Co-Sponsored by: Bankruptcy & Workouts

10:30am Athletes, Entertainers and the IRS. Author and law professor Lionel S. Sobel presents on an assortment of tax issues that are unique to athletes and entertainers, and have some unexpected and even surprising consequences.

Moderator: Phyllis Horn Epstein, Epstein Shapiro & Epstein PC, Philadelphia, PA

Panelist: Professor Lionel S. Sobel, UCLA School of Law, Los Angeles, CA

8:30AM – 11:30AM

Salon F, Platinum Level

Investment Management



Chair: Amy B. Snyder, The Vanguard Group Inc., Malvern, PA

8:30am Offshore Issues for Private Equity Funds. This panel will discuss issues and recent changes to the cross-border tax landscape faced by private equity funds involved in cross-border deals and investments. Topics include use of treaties, holding companies, and leverage issues.

Moderator: Greg Hartker, Morgan Lewis & Bockius LLP, San Francisco and Orange County, CA

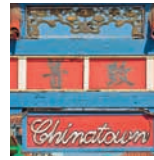
Panelists: Alexander Lee, Paul Hastings LLP, Los Angeles, CA; Michiel van Kempen, Loyens & Loeff NV, New York, NY; Adam Tejada, K&L Gates LLP, New York, NY

9:30am Current Issues for Funds Investing in Index-Linked Financial Transactions. This panel will explore a variety of tax issues that arise when investment funds enter into financial transactions relating to indices, with a particular emphasis on the tax treatment of derivatives with respect to an index. The panel will address,

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among other issues, the application of section 1260, section 871(m), FIRPTA, the wash-sale rules, section 1256, and the regulated investment company rules to these types of transactions.

Moderator: Jeffrey D. Hochberg, Sullivan & Cromwell LLP, New York, NY

Panelists: Amy B. Snyder, The Vanguard Group Inc., Malvern, PA; Craig Gibian, Deloitte Tax LLP, Washington, DC

10:30am Current Issues for Investment Companies. This panel will explore several US and international tax topics arising currently in the investment company arena, including use of partnerships (rather than regulated investment companies) as investment vehicles underlying variable insurance products, tax ramifications associated with nonresident alien individuals serving as directors on fund boards, and an update on other investment company issues.

Moderator: Ronald S. Cohn, Cohn & Barr, San Francisco, CA

Panelists: Jason Bortz, Capital Research and Management Company, Los Angeles, CA; Mark S. Campisano, Pacific Life, Newport Beach, CA; Keith Lawson, Investment Company Institute and ICI Global, Washington, DC

8:30AM – 11:30AM

Salon C, Platinum Level

Partnerships & LLCs

Chair: Thomas E. Yearout, J & J Management Services Inc., St. Louis, MO

8:30am Partnerships With Related Foreign Partners - Notice 2015-54. This panel will discuss issues arising under the pending guidance on contributions of appreciated property to partnerships with related foreign partners.

Moderator: Richard M. Lipton, Baker & McKenzie LLP, Chicago, IL

Panelists: Peter H. Blessing, KPMG LLP, New York, NY; H. Grace Kim, Grant Thornton LLP, Washington, DC; Jason T. Smyczek, Senior Technical Reviewer, Office of Associate Chief Counsel (International), IRS Office of Chief Counsel, Washington, DC

9:15am Allocations and Varying Interests – The 706 Regulations. This panel will discuss the recent final and proposed regulations that address allocations in partnerships with varying partner interests.

Moderator: John J. Rooney, KPMG LLP, Washington, DC

Panelists: Ari Berk, Deloitte Tax LLP, Washington, DC; Nadine Holovach, PwC, Washington, DC; Benjamin H. Weaver, Attorney-Advisor, Office of Associate Chief Counsel (Passthroughs and Special Industries), IRS Office of Chief Counsel, Washington, DC

10:00am What Am I? – Dual Status as Partner and Employee. Unlike shareholders in a corporation, partners have historically not been permitted to be treated as employees of the partnership. However, as partnerships have proliferated and evolved people have started to raise questions about the historical treatment of partners. This panel will discuss the problems related to treating a partner as an employee and some of the possible ways for addressing the issues.

Moderator: J. Leigh Griffith, Waller Lansden Dortch & Davis LLP, Nashville, TN

Panelists: Jeanne M. Sullivan, KPMG LLP, Washington, DC; Kurt L.P. Lawson, Hogan Lovells US LLP, Washington, DC; Glenn E. Dance, Special Counsel to the Associate Chief Counsel (Passthroughs and Special Industries), IRS Office of Chief Counsel, Washington, DC



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10:45am Hot Topics. This panel will discuss recent developments, including legislation, regulations, administrative guidance, and noteworthy cases.
Moderator: Jennifer H. Alexander, Deloitte Tax LLP, Washington, DC
Panelists: Michael Hirschfeld, Dechert LLP, New York, NY; Ossie Borosh, Attorney-Advisor, Office of Tax Legislative Counsel, Department of Treasury, Washington, DC

8:30AM – 10:30AM

Salon B, Platinum Level

Transfer Pricing

Chair: John Hughes, IRS, Washington, DC

8:30am Media & Entertainment Considerations in Transfer Pricing. This session will focus on topics on aspects of transfer pricing through the lens of Media & Entertainment (“M&E”), including dispute resolution - preferred methods, audit environment, and the Cloud, the digital space, among others. The panel will consider potential impacts of the BEPS final reports on the M&E industry, in particular.
Moderator: Michael Denning, EY, Los Angeles, CA
Panelists: Cathy Dare, Activision Blizzard, Los Angeles, CA; Lili Kazemi, PwC, Washington, DC; Additional Panelist TBD

9:30am REITs and Transfer Pricing: The IRS Takes Up the Welcome Mat. This panel will review recent developments in the REIT industry, including the IRS’s recent pronouncements under Rev Notice. 2015-59 and Rev Proc. 2015-43, with a discussion of the implications for the industry and the enforcement and application of transfer pricing for current and future REITs.
Moderator: Nathaniel Carden, Skadden Arps Slate Meagher & Flom, Chicago, IL
Panelists: J. Harold McClure, Thomson Reuters, New York, NY; John C. Hughes, Senior International Advisor, IRS, Washington, DC; Additional Panelists TBD

8:30AM – 10:30AM

Salon D, Platinum Level

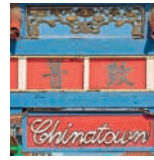
US Activities of Foreigners & Tax Treaties

Chair: Michael J. Miller, Roberts & Holland LLP, New York, NY

8:30am Inbound IP Planning. This program will examine the “inbound” taxation of foreign persons with respect to intellectual property used within the United States. The panel will address the tax consequences of sales versus licenses and how to distinguish one from the other, including characterization issues arising from using the “cloud”. The panel will also consider issues relating to withholding on royalties, including treaty qualification, hybrid entity issues and conduit financing arrangements.
Moderator: Sam K. Kaywood Jr., Alston & Bird LLP, Atlanta, GA
Panelists: David L. Forst, Fenwick & West LLP, Mountain View, CA; Jeffrey L. Rubinger, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; Nancy Lee, Senior Technical Reviewer, Branch 8, IRS Office of the Associate Chief Counsel – International, Washington, DC; Quyen Huynh, Associate Counsel, International Tax Counsel, Department of Treasury, Washington, DC; Elena Virgadamo, Attorney Advisor, International Tax Counsel, Department of Treasury, Washington, DC

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9:30am Advanced Withholding Taxation – A Guide for the Perplexed. This panel will explore the potential withholding tax considerations that may arise from transactions which do not initially appear to be subject to a withholding obligation. The panel will also discuss some planning suggestions to deal with unexpected withholding tax obligations.

Moderator: Professor Alan I. Appel, New York Law School, New York, NY

Panelists: Meyer H. Fedida, Cleary Gottlieb Steen & Hamilton LLP, New York, NY; Jessica Edwards, Bryan Cave LLP, St. Louis, MO; Ursula Gee, Program Manager, Large Business and International, IRS, Laguna Niguel, CA; Nancy Lee, Senior Technical Reviewer, Branch 8, IRS Office of the Associate Chief Counsel – International, Washington, DC; Quyen Huynh, Associate Counsel, International Tax Counsel, Department of Treasury, Washington, DC

8:45AM – 4:30PM

Salon E, Platinum Level

Exempt Organizations 

Chair: David A. Shevlin, Simpson Thacher & Bartlett LLP, New York, NY

8:45am Committee Business. 

9:00am News from the IRS and Treasury. Representatives from the IRS and Treasury Department will discuss topics of current interest to exempt organizations practitioners.

Moderator: Douglas M. Mancino, Seyfarth Shaw LLP, Los Angeles, CA

Panelists: Sunita B. Lough, Commissioner, Tax Exempt & Government Entities Division, IRS, Washington, DC (Invited); Victoria A. Judson, Associate Chief Counsel, IRS Office of Associate Chief Counsel (TEGE), Washington, DC (Invited); Elinor C. Ramey, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited)

10:00am Foundation Grants to Foreign Charities: A New Era Under the Final Equivalency Determination Regulations. This panel will discuss key changes in the rules for private foundations that make grants to foreign organizations using “good faith determinations,” and implications for the future of global grantmaking.

Moderator: LaVerne Woods, Davis Wright Tremaine LLP, Seattle, WA

Panelists: Karen Halazon, Bill & Melinda Gates Foundation, Seattle, WA; Elinor C. Ramey, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Sheila Warren, NGOssource, San Francisco, CA

11:15am Difficult Public Support Test Issues. This panel will explore challenging public support issues that can create difficulties for public charities and their donors. The panel will discuss unusual grants, earmarked contributions, grants from foreign organizations and foreign governments, contributions from partnerships, grantor reliance and tipping, among other concerns.

Moderator: Carolyn O. Ward, Ropes & Gray LLP, Washington, DC

Panelists: Megan Bell, Patterson Belknap Webb & Tyler LLP, New York, NY; Edward T. Chaney, Schell Bray PLLC, Chapel Hill, NC; Kimberly M. Eney, Morgan Lewis & Bockius LLP, Washington, DC

12:30pm Exempt Organizations Committee Luncheon  *(Ticketed Event)*

Speaker: Professor James M. Ferris, Director, The Center on Philanthropy and Public Policy at the University of Southern California, Los Angeles, CA



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2:00pm The Commerciality Doctrine: Blessing or Curse? This panel will trace the evolution of the “commerciality doctrine” from its roots to current IRS and judicial applications, and discuss whether it is being applied appropriately. The panel will consider how much leeway charities should have to use business models focusing on commercial revenues rather than on more traditional donative models, and whether there is a place for charities to operate in areas dominated by for-profit actors.

Moderator: Michael E. Durham, Kirton McConkie PC, Salt Lake City, UT

Panelists: Matthew A. Clausen, Adler & Colvin, San Francisco, CA; Professor Jill R. Horwitz, UCLA School of Law, Los Angeles, CA

3:00pm Investing in the Future: What Does Mission Have to Do With It? This panel will explore the current state of “mission-related investments” (MRIs) by nonprofit organizations. The panel will discuss the intersection of MRIs with program-related investments under the Code, the prudent investor rules applicable to nonprofit organizations under UPMIFA and charitable trusts under applicable trust law. It will also consider MRIs in the context of IRS Notice 2015-62, which clarifies that private foundation managers may consider the relationship between an investment and a private foundation’s tax-exempt purposes when making investment decisions.

Moderator: David A. Levitt, Adler & Colvin, San Francisco, CA

Panelists: Carol Kroch, Wilmington Trust, Wilmington, DE; Jeffrey Hom, Omidyar Network, Redwood City, CA

4:00pm Cash Bar 

9:00AM – 10:30AM

Salon 3, Gold Level

Tax Policy & Simplification 

Chair: Eric San Juan, Georgetown University Law Center, Washington, DC

9:00am Marketplace Fairness Act. The longstanding, hotly contested MFA would allow states to require remote sellers to collect sales tax from customers in their state, thus addressing use tax noncompliance. Opponents of the MFA cite to the burden it would place on sellers and consumers, while proponents say that it will level the playing field between remote and local sellers. As technology lessens the administrative burden and states pursue other ways to turn remote vendors into tax collectors (including new efforts to challenge the Quill decision), continued discussion of the MFA will be lively. Panelists will address and critique MFA variations and the arguments raised by vendors and state governments.

Moderator: Roger Royse, Royse Law Firm, Palo Alto, CA

Panelists: Professor John Swain, University of Arizona, Tucson, AZ; Professor Annette Nellen, San Jose State University, San Jose, CA; Michele Pielsticker, Chief, Legislative & Research Division, California State Board of Equalization, Sacramento, CA





9:00AM – 12:00PM

Plaza 1 & 2, 3rd Floor, Hotel Tower

Young Lawyers Forum – 2016 Annual Law Student Tax Challenge Semi-Final Rounds  

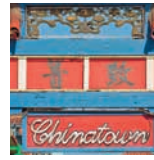
(Open to the Public)

Teams of semi-finalists, selected for their written submissions, will compete before a panel of judges who will role-play as a “client” and then as a “senior partner” in the firm. The two-member teams present their solutions to the tax planning problem and, based on their oral presentations, will be selected to compete in the afternoon final rounds.

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9:15AM – 2:30PM

Companion Activity (Ticketed Event)

VIP Tour of Sony Pictures Studios. Transportation to depart the JW Marriott LA Live at 9:15am. Attendees will be returned to the hotel after lunch.

9:30AM – 11:00AM

Salon 6, Diamond Level

Employee Benefits Administrative Practices Update

Presented by the Subcommittee on Self-Correction, Determination Letters and Other Administrative Practices

Chair: Christina M. Crockett, Washington, DC

Vice-Chairs: Thomas R. Pevarnik, Deloitte Tax LLP, Washington, DC; Rhonda G. Migdail, Mercer, Washington, DC

Assistant Vice-Chair: Venessa Blanco, Boutwell Fay LLP, Irvine, CA

Immediate Past Chairs: Stefan P. Smith, Locke Lord LLP, Dallas, TX; Lisa A. Tavares, Venable LLP, Washington, DC

The Subcommittee will discuss the revised determination letter program for individually designed plans, recent IRS guidance concerning the program, and related changes to the Employee Plans Compliance Resolution System (EPCRS). The subcommittee will also discuss the new qualified plan corrections guidance and the IRS request for comments concerning recoupment of overpayments.

Panelists: Seth H. Tievsky, Senior Technical Advisor to the Director, IRS, Washington, DC (Invited); Joyce Kahn, Branch Chief, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited)

9:30AM – 10:30AM

Salon 7, Diamond Level

Employee Benefits Litigation Update

Presented by the Subcommittees on Litigation, ESOPs and Fiduciary Responsibility and Plan Investments

Chairs: Sara Pikofsky, Jones Day, Washington, DC; David A. Whaley, Dinsmore & Shohl, Cincinnati, OH; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN; David A. Cohen, Evercore Trust Company NA, Washington, DC

Vice-Chair: Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Daniel R. Salemi, Franczek Radelet PC, Chicago, IL; Vadim Avdeychik, PIMCO LLC, New York, NY; Michael Bartolic, The Law Offices of Michael Bartolic LLC, Chicago, IL

Assistant Vice-Chairs: Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC; Kyla Rivera, Evercore Trust Company NA, Washington, DC; Rita Patel, DLA Piper LLP, Washington, DC; Jessica N. Agostinho, Hunton & Williams LLP, Washington, DC

Immediate Past Chairs: Erin Turley, McDermott Will & Emery, Dallas, TX; Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

The panel will discuss recent ERISA litigation cases.

Panelists: Sara Pikofsky, Jones Day, Washington, DC; David A. Whaley, Dinsmore & Shohl, Cincinnati, OH; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN; David A. Cohen, Evercore Trust Company NA, Washington, DC; Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Daniel R. Salemi, Franczek Radelet PC, Chicago, IL; Vadim Avdeychik, PIMCO LLC, New York, NY; Michael Bartolic, The Law Offices of Michael Bartolic LLC, Chicago, IL; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC; Kyla Rivera, Evercore Trust Company NA, Washington, DC; Rita Patel, DLA Piper LLP, Washington, DC; Jessica N. Agostinho, Hunton & Williams LLP, Washington, DC; Liz Hopkins, Solicitor's Office, Department of Labor, Washington, DC (Invited)



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9:45AM – 10:45AM

Salon 10, Diamond Level

Employee Benefits Multiple Employers, PEOs and Controlled Groups Update

Presented by the Subcommittee on Multiple Employers, Professional Employer Organizations (PEOs) and Controlled and Affiliated Service Groups

Chair: Charles G. Humphrey, Law Office of Charles G. Humphrey, Andover, MA

Vice-Chair: Devin M. Karas, Reid and Riege PC, Hartford, CT

Assistant Vice-Chair: Stefan P. Smith, Locke Lord LLP, Dallas, TX

Immediate Past Chairs: Peter J. Hunt, Pillsbury Winthrop Shaw Pittman LLP, New York, NY; Carol L. Myers, William Parker, Sarasota, FL

The Subcommittee will discuss current issues in benefit plans operating in alternative employment and benefit arrangements such as PEOs or multiple employer plans, including an update on legislative developments. We will continue the ongoing interactive dialogue refining suggestions for dealing with or modifying the application of the section 413(c) one bad apple rule to multiple employer plans, including discussion of whether MEPs currently have a viable means of preventing disqualification of the plan when the plan's potential qualification problem results from participating employers who are unable to or refuse to respond or provide information to the plan's primary sponsor and plan administrator. We will continue the discussion begun at the last meeting of the Subcommittee on Affiliated Service Group and/or Management Service Organization situations that need guidance, particularly in light of the Affordable Care Act requirements relating to the determination of large employer or small employer status, Cadillac coverage, and the \$500,000 limit on compensation deduction under Code section 162(m). There will also be a discussion of employee benefit considerations in PEOs lead by Robyn Crosson.

Panelists: Charles G. Humphrey, Integrated Retirement Initiatives LLC, Baxter, MN; Carol L. Myers, Williams Parker, Sarasota, FL; Robyn Crosson, Senior Counsel, ADP, Indianapolis, IN; William Evans, Attorney Advisor, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Seth H. Tievsky, Senior Technical Advisor to the Director, IRS, Washington, DC (invited); Kyle N. Brown, Special Counsel, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Pamela R. Kinard, Senior Technician Reviewer, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited)

10:00AM – 12:00PM

Salon 9, Diamond Level

Employee Benefits Welfare Plans, Cafeteria Plans and Reimbursement Accounts, and EEOC Issues Update

Presented by the Subcommittee on Welfare Plan and EEOC, FMLA and Leaves Issues

Chairs: Helen H. Morrison, EY, Washington, DC; Gabriel S. Marinaro, Smith Haughey Rice & Roegge, Ann Arbor, MI

Vice-Chairs: William M. Freedman, Dinsmore & Shohl LLP, Cincinnati, OH; Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL

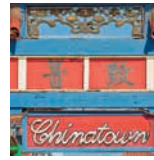
Assistant Vice-Chairs: Elena Kaplan, Jones Day, Atlanta, GA; Carolyn M. Trenda, McGuireWoods LLP, Chicago, IL

Immediate Past Chairs: Linda Mendel, Vorys Sater Seymour and Pease LLP, Columbus, OH; Mark L. Stember, Kilpatrick Townsend & Stockton LLP, Washington, DC; Thomas C. Graves, Haynes Benefits PC, Lees Summit, MO; Julie Burbank, Chevron Corporation, San Ramon, CA; Andy R. Anderson, Morgan Lewis, Chicago, IL

This meeting will address the Affordable Care Act information reporting requirements, including a discussion about how to request extensions; recent legislation including PACE that addresses the treatment of certain employers as large employers; the final regulations regarding the Affordable

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Care Act market reform requirements and grandfathered plans; section 4980I (the Cadillac tax); the EEOC proposed guidance on wellness plans and GINA; and other relevant topics.

Panelists: Alden Bianchi, Mintz Levin Cohn Ferris and Popeo PC, Boston, MA; Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL; Elena Kaplan, Jones Day, Atlanta, GA; Rachel Leiser Levy, Groom Law Group, Washington, DC; Gabriel S. Marinaro, Smith Haughey Rice & Roegge, Ann Arbor, MI; Carolyn M. Trender, McGuireWoods, Chicago, IL; Jacquelyn M. Abbott, Exxon Mobil Corporation, Houston, TX; Kevin Knopf, Senior Technician Reviewer, Office of Division Counsel/Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Tax Exempt and Government Entities, Office of Chief Counsel, IRS, Washington, DC (Invited); Carol Weiser, Deputy Benefits Tax Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Christa Bierma, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited); Katie Johnson, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC (Invited)

10:30AM – 12:30PM

Salon D, Platinum Level

Foreign Activities of US Taxpayers 

Chair: Paul J. Crispino, Deloitte Tax LLP, Stamford, CT

10:30am Taxing Foreign Goodwill & Going Concern Value Under Section 367. In mid-September 2015, the government issued proposed regulations under section 367(a) and (d) that would fundamentally change the treatment of an outbound transfer of foreign goodwill and going concern value. This panel will discuss the impact of these changes on business transactions and highlight issues with the effective date of the proposed rules.

Moderator: Paul M. Schmidt, Baker & Hostetler LLP, Washington, DC

Panelists: Layla J. Aksakal, Miller & Chevalier, Washington, DC; Natan J. Leyva, EY, Washington, DC; John Merrick, Special Counsel, IRS – Office of the Associate Chief Counsel – International, Washington, DC; Brenda Zent, Special Advisor on International Taxation, International Tax Counsel, Department of Treasury, Washington, DC

11:30am Tax Issues Arising in the Clouds: When the Digital Economy & International Tax Collide. Applying existing international tax concepts to cloud computing and other forms of the digital economy is not always easy or clear. While the OECD declined to adopt new rules for the digital economy, it opened the door for taxation of digital transactions through expansion of the permanent establishment concept, withholding taxes, and indirect taxes. In the United States, fundamental questions remain and call out for guidance. This panel will discuss the present state of the law and discuss alternatives for the taxation of digital transactions.

Moderator: Carol P. Tello, Sutherland Asbill & Brennan LLP, Washington, DC

Panelists: Chad Hungerford, Deloitte Tax LLP, Seattle, WA; John Karasek, KPMG, Washington, DC; Elena Virgadamo, Attorney Advisor, Office of International Tax Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Joseph P. DeWald, Senior Technical Reviewer, Branch 6, IRS Office of Associate Chief Counsel (International), Washington, DC

10:30AM – 12:00PM

Salon 4, Gold Level

State & Local Taxes and Transfer Pricing Joint Program 

State and Local Taxes Chair: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA

Transfer Pricing Chair: John C. Hughes, IRS, Washington, DC



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10:30am BEPS and Transfer Pricing Implications for State and Local Tax. This session will cover state transfer pricing issues and the interplay between those issues and developments at the federal and international levels, including the OECD's BEPS initiative. We'll review the different state approaches to transfer pricing, and the impact that a transfer pricing adjustment may have depending on whether the buyer, seller, or both are taxpayers in the state and on whether the state requires separate or combined reporting. We will also discuss the MTC's collaborative efforts and other trends in transfer pricing that will require greater awareness by both SALT and international tax practitioners.

Moderator: Shirley K. Sicilian, KPMG, Washington, DC

Panelists: Karl Frieden, COST, Washington, DC; Bruce Fort, MTC, Washington, DC; Keith Robinson, PwC, Atlanta, GA

11:00AM – 12:00PM

Atrium 2, 3rd Floor, Hotel Tower

Distinguished Speaker (Executive Session)

Chair: Rudolph Ramelli, Jones Walker LLP, New Orleans, LA

Cancelled

11:00AM – 1:15PM

Salon 5, Diamond Level

Employee Benefits Defined Benefit Plan and Distributions Update

Presented by the Subcommittee on Distributions and Defined Benefit Plans

Chairs: Serena G. Simons, The Segal Group, Washington, DC; Anne M. Meyer, Snell & Wilmer LLP, Phoenix, AZ

Vice-Chairs: J. Rose Zaklad, Groom Law Group, Washington, DC; Sarah E. Fry, Locke Lord LLP, Dallas, TX; John H. Wendeln, Thompson Hine LLP, Cincinnati, OH; Rosina Barker, Ivins Phillips & Barker, Washington DC

Assistant Vice-Chairs: Allison Hoots, Employee Benefits Security Administration, Department of Labor, Philadelphia, PA; Meredith VanderWilt, Polsinelli PC, Dallas, TX; Laura M. Nolen, Marathon Oil Corporation, Houston, TX; Erin Turley, McDermott Will & Emery, Dallas, TX

Immediate Past Chairs: Harold J. Ashner, Keightley & Ashner LLP, Washington, DC; Stuart A. Sirkin, The Segal Company, Washington, DC; Jose Juan Valcarce, Shell Oil Company, Houston, TX

The Subcommittees will discuss recent issues of interest affecting defined benefit plans and distributions including recent regulatory guidance and selected recent litigation and enforcement developments. Topics to be discussed will include issues relating to the hybrid plan "market rate of return" final regulations, the Bipartisan Budget Act of 2015 and the use of electronic certification for hardship distributions, as well as a discussion of emerging issues. Updates from the agencies also may be provided.

Panelists: Christina M. Crockett, Washington, DC; Harlan Weller, Senior Actuary, Department of Treasury, Washington, DC (Invited); Kyle N. Brown, Special Counsel, Office of Chief Counsel, Tax Exempt & Government Entities, IRS, Washington, DC (Invited); Seth Tievksy, Senior Technical Advisor, IRS Employee Plans, TEGE Division, Washington, DC (Invited); Daniel Liebman, Attorney-Advisor, Pension Benefit Guaranty Corporation, Washington, DC (Invited); Joel Ruderman, Assistant Chief Counsel, Pension Benefit Guaranty Corporation, Washington, DC (Invited), Harold J. Ashner, Keightley & Ashner LLP, Washington, DC

11:00AM – 12:00PM

Salon 6, Diamond Level

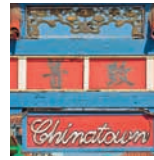
Employee Benefits Exempt Organization and Governmental Plans Update

Presented by the Subcommittee on Exempt Organization and Governmental Plans

Chairs: Craig R. Pett, Alston & Bird LLP, Atlanta, GA; Bruce Barth, Robinson & Cole LLP, Hartford, CT

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FRIDAY, JANUARY 29



Vice-Chairs: Don Wellington, Steptoe & Johnson, Los Angeles, CA; Blake McKay, Alston & Bird, Atlanta, GA

Assistant Vice-Chairs: Meghan M. Lynch, Aon Hewitt, Houston, TX; Robert Johnson, Kaufman & Canoles PC, Newport News, VA

Immediate Past Chair: David W. Powell, Groom Law Group, Washington, DC

The panel will discuss recent guidance and decisions relating to tax-exempt, church and governmental plans, including the proposed regulations issued under section 457(f) (if issued prior to the meeting).

Panelists: Seth H. Tievsky, Senior Technical Advisor to the Director, IRS, Washington, DC; Susan E. Rees, Chief, Division of Coverage, Reporting & Disclosure, Office of Regulations and Interpretations, Employee Benefits Security Administration, Department of Labor, Washington, DC; Pamela R. Kinard, Senior Technician Reviewer, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC

11:00AM – 12:00PM Salon 7, Diamond Level

Employee Benefits Fiduciary Responsibilities Update

Presented by the Subcommittee on Fiduciary Responsibility

Chairs: David A. Cohen, Evercore Trust Company NA, Washington, DC; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN

Vice-Chairs: Vadim Avdeychik, PIMCO LLC, New York, NY; Daniel R. Salemi, Franczek Radelet PC, Chicago, IL

Assistant Vice-Chair: Kyla Rivera, Evercore Trust Company NA, Washington, DC

Immediate Past Chair: Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

The panel will discuss guidance issued addressing ERISA fiduciary responsibilities, including the Department of Labor's proposed conflicts of interest rule.

Panelists: David A. Cohen, Evercore Trust Company NA, Washington, DC; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN; Daniel R. Salemi, Franczek Radelet PC, Chicago, IL; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

11:00AM – 12:00PM Salon 10, Diamond Level

Employee Benefits Legislative Update

Presented by Subcommittee on Employee Benefits Legislation

Chair: Gary Chase, Towers Watson, New York, NY

Vice-Chair: Lisa Bleier, Securities Industry and Financial Markets Association (SIFMA), Washington, DC

Assistant Vice-Chairs: Professor Jonathan B. Forman, University of Oklahoma, Norman, OK; Judy M. Hensley, Roberts & Holland LLP, New York, NY

Immediate Past Chair: David N. Levine, Groom Law Group Chartered, Washington, DC

This meeting will focus on legislative developments that impact employee benefit plans and arrangements. This includes recent legislation addressing the Department of Labor's fiduciary regulation, including the Retail Investor Protection Act (H.R. 1090), which passed the House, as well as an update on state run retirement plans which have been given new life due to the Department of Labor's recent interpretive bulletin and proposed rule. We will also plan a lightning round where we will cover all other employee benefits related legislation.

Panelists: Lisa J. Bleier, Securities Industry and Financial Markets Association (SIFMA), Washington, DC, Professor Jonathan B. Forman, University of Oklahoma, Norman, OK; Michael P. Kreps, Groom Law Group, Washington, DC



PROGRAM SCHEDULE FRIDAY, JANUARY 29

11:00AM – 11:30AM

Salon 8, Diamond Level

Employee Benefits New Employee Benefits Attorneys Forum

Chairs: Laura R. Westfall, King & Spalding, New York, NY

Immediate Past Chair: Sarah J. Touzalin, Seyfarth Shaw LLP, Chicago, IL

Informal meeting for new members of the Employee Benefits Committee.

11:00AM – 12:00PM

Atrium 1, 3rd Floor, Hotel Tower

Membership & Marketing

Chair: Kathryn Keneally, DLA Piper, New York, NY

11:00AM – 1:00PM

Georgia 1, 3rd Floor, Hotel Tower

Tax Compliance

Chair: Joshua D. Odintz, Baker & McKenzie LLP, Washington, DC

11:30AM – 12:30PM

Atrium 3, 3rd Floor, Hotel Tower

Appointments to the Tax Court (Executive Session)

Chair: Mary McNulty, Thompson & Knight LLP, Dallas, TX

11:30AM – 12:30PM

Salon 1, Gold Level

Court Procedure & Practice Roundtable Discussion

Chair: Juan F. Vasquez, Jr., Chamberlain Hrdlicka White Williams & Aughtry, Houston, TX

11:30am Decision Documents and Their Aftermath. Parties participate in the preparation of Tax Court decision documents in all settled cases and where Rule 155 computations are required to implement a decision. This panel will explain what information should be included in the decision documents and what belongs above the judge's signature versus below it, with both straightforward and more complex examples. In addition, the panelists will discuss how to make sure the decision documents accurately convey the terms of the resolution and the options available to the taxpayer if the IRS fails to implement the decision as the taxpayer anticipated or charges more interest than the taxpayer believes is correct, including a discussion of Tax Court Rules 260 and 261.

Moderator: Jenny Johnson, Holland & Knight LLP, Chicago, IL

Panelists: The Honorable Michael Thornton, Chief Judge, US Tax Court, Washington, DC; Peter Reilly, IRS Chief Counsel (Procedure & Administration), Washington, DC

12:00PM – 12:45PM

Salon 9, Diamond Level

Employee Benefits Corporate Counsel Forum

Presented by the Employee Benefits Corporate Counsel Forum

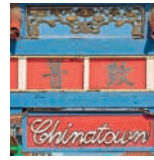
Chairs: Jacquelyn M. Abbott, ExxonMobil, Houston, TX; Jennifer M. Wolff, Chevron Corporation, San Ramon, CA

Immediate Past Chair: Vicki Dawn Blanton, American Airlines, Ft. Worth, TX

Join the corporate counsel forum as panelists discuss practical issues raised in contracting with third party vendors for administrative services. We will focus on negotiating specific contract terms; handling issues when contracts go through procurement; sales and use tax issues with vendors; employee information and TOU/EULA clicks; and how to manage vendors sharing information when they also compete with each other. In addition we will discuss a fiduciary savings clause that can be included in contracts to assure that the contractual language is not inconsistent with the yet to be finalized fiduciary regulations.

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Panelists: M. Ellen Mondress, Mondress PLLC, Seattle, WA; Gia Norris, Practical Law, New York, NY; Jacquelyn Abbott, Exxon Mobil Corporation, Houston, TX; Dan S. Brandenburg, Saul Ewing LLP, Washington, DC; Dan Salemi, Franczek Radelet PC, Chicago, IL

12:00PM – 1:00PM

Salon 8, Diamond Level

Employee Benefits ESOP Update

Presented by the Subcommittee on ESOPs

Chair: David A. Whaley, Dinsmore & Shohl, Cincinnati, OH

Vice-Chair: Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY

Assistant Vice-Chairs: Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

Immediate Past Chair: Erin Turley, McDermott Will & Emery, Dallas, TX

This meeting will include a panel discussion pertaining to the status of the potential IRS regulation project; recently issued IRS Private Letter Ruling 2015-38021 addressing the use of LLC units in an ESOP; investigation activity of the Department of Labor; the status of pending litigation within the ESOP space including *Pfiel, et. al. v. State Street Bank & Trust Co.* and *In re: BP P.L.C. Securities Litigation*, and a discussion pertaining to issues arising under Code section 4978(a) for early dispositions of ESOP stock acquired in a Code section 1042 transaction.

Panelists: David A. Whaley, Dinsmore & Shohl, Cincinnati, OH; Erin Sweeney, Miller & Chevalier Chartered, Washington, DC; Erin Turley, McDermott Will & Emery, Dallas, TX; Allison Wilkerson, McDermott Will & Emery, Dallas, TX

12:00PM – 1:15PM

Salon 10, Diamond Level

Employee Benefits Mergers & Acquisitions Update

Presented by the Subcommittee on Mergers & Acquisitions

Chairs: Laura R. Westfall, King & Spalding, New York, NY; Gail W. Stewart, Baker Botts LLP, Houston, TX

Vice-Chair: Carrie Simons, Ropes & Gray, Boston, MA

Assistant Vice-Chair: Elinor Hindsley, Williams Mullen, Richmond, VA

Immediate Past Chair: Jennifer M. Wolff, Chevron Corporation, San Ramon, CA

This Subcommittee will discuss recent trends in mergers and acquisitions.

Panelists: Laura R. Westfall, King & Spalding, New York, NY; Gail W. Stewart, Baker Botts LLP, Houston, TX; Carrie A. Simons, Ropes & Gray, Boston, MA; Elinor Hindsley, Williams Mullen, Richmond, VA

12:00PM – 1:15PM

Salon 6, Diamond Level

Employee Benefits Multinational Employee Benefits & Compensation Issues Update

Presented by the Subcommittee on Multinational Employee Benefits & Compensation Issues

Chair: Mark C. Jones, Pillsbury Winthrop Shaw Pittman LLP, Los Angeles, CA

Vice-Chairs: Rob Fowler, Baker Botts LLP, Houston, TX; Veena Murthy, Washington, DC; David W. Powell, Groom Law Group Chartered, Washington, DC

Assistant Vice-Chair: Karen D. Youngstrom, Thompson Hine LLP, Cleveland, OH

Immediate Past Chair: Sandra Cohen, Osler Hoskin & Harcourt LLP, New York, NY

The Subcommittee will discuss the following issues: (1) Challenges and solutions in the design and operation of international employee stock purchase plans; and (2) Hot pensions topics, including Office of Foreign Assets Control (OFAC) regulations and recent Organization for Economic Co-operation and Development (OECD) recommendations; and (3) Recent developments for the 2016 proxy season.




PROGRAM SCHEDULE FRIDAY, JANUARY 29

Panelists: Mark C. Jones, Pillsbury Winthrop Shaw Pittman LLP, Los Angeles, CA; Scott Barrall, Deloitte Tax LLP, San Jose, CA; Josephine Gartrell, Willis Towers Watson, San Francisco, CA; David W. Powell, Groom Law Group Chartered, Washington, DC; Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), IRS Office of Chief Counsel (TEGE), Washington, DC (Invited)

12:00PM – 2:30PM

Olympic 1, 3rd Floor, Hotel Tower


Nominating  (Executive Session)

Chair: Michael Hirschfeld, Dechert LLP, New York, NY

COMMITTEE LUNCHEONS

12:00PM – 1:30PM

Salon A, Platinum Level

Corporate Tax and Affiliated & Related Corporations  (Ticketed Event)

12:00PM – 12:30PM

Olympic 3, 3rd Floor, Hotel Tower

Diversity  (Ticketed Event)

Sponsored by: DLA Piper, Groom Law Group, and American Bar Association Section of Real Property, Trust and Estate Law


12:00PM – 12:30PM

Salon 3, Gold Level

State & Local Taxes  (Ticketed Event)

12:30PM – 1:30PM

Salon 1, Diamond Level

Administrative Practice and Court Procedure & Practice  (Ticketed Event)

Topic: The New Partnership Procedures

Speaker: William J. Wilkins, Chief Counsel, IRS, Washington, DC

Sponsored by: Caplin & Drysdale, Miller & Chevalier Chartered and Thompson Hine LLP

12:30PM – 1:30PM

Salon C, Platinum Level

Banking & Savings Institutions, Financial Transactions, Insurance Companies, Investment Management, Tax Exempt Financing  (Ticketed Event)

Mr. Webber's Magic Investor Control! This lunch presentation will discuss the recent Tax Court ruling in *Webber v. Commissioner*, where the court expressed agreement with the IRS's "investor control" series of revenue rulings in holding against the owner of a private placement variable life insurance policy. The speaker will discuss the investor control rulings and explore an alternative to relying on them to reach the same conclusion in the case.

Speaker: Jasper L. "Jack" Cummings, Jr., Alston & Bird LLP, Raleigh, NC

12:30PM – 1:30PM




Salon 2, Diamond Level

Civil & Criminal Tax Penalties Luncheon  (Ticketed Event)

This lunch will feature a Q&A with Acting AAG Caroline Ciralo about the Tax Division's current priorities and other matters of interest to the Committee.

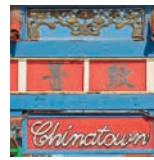
Speaker: Caroline D. Ciralo, Acting Assistant Attorney General, Tax Division, Department of Justice, Washington, DC

Sponsored by: Hochman Salkin Rettig Toscher & Perez PC and Kostelanetz & Fink LLP

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FRIDAY, JANUARY 29



COMMITTEE LUNCHEONS *(Continued)*


12:30PM – 1:30PM Salon 2, Gold Level

Estate & Gift Taxes and Fiduciary Income Tax  *(Ticketed Event)*

This lunch presentation will explore the legal rules and best practices for empowering high-profile individuals and organization to leverage their celebrity as a vehicle for widespread and impactful philanthropy. The discussion will include an overview of the process for establishing and operating a 501c3 organization, a review of nonprofit compliance and oversight responsibilities, a comparison of the various alternative structures for achieving charitable goals, and a litany of colorful war stories from a decade of identifying violations that range from comical to criminal (with the names changed to protect the... guilty).


Speaker: Andrew D. Morton, Handler Thayer LLP, Washington, DC

12:30PM – 1:30PM Salon E, Platinum Level

Exempt Organizations  *(Ticketed Event)*

Speaker: Professor James M. Ferris, Director, The Center on Philanthropy and Public Policy at the University of Southern California, Los Angeles, CA

12:30PM – 2:30PM Salon D, Platinum Level

FAUST, FLF, Transfer Pricing and USAFTT  *(Ticketed Event)*

12:30PM – 1:30PM Salon B, Platinum Level

Real Estate and Partnerships & LLCs  *(Ticketed Event)*

Topic: The Tax Ghosts of Christmas Past, Christmas Present, and Christmas Yet to Come


Speaker: Terence F. Cuff, Loeb & Loeb LLP, Los Angeles, CA

Sponsored by: Thompson & Knight LLP

12:30PM – 1:30PM Olympic 3, 3rd Floor, Hotel Tower

Diversity 

Chair: Cathy Fung, Office of Division Counsel (Large Business & International), IRS, Washington, DC

12:30pm Elimination of Bias in the Profession: The LGBT Ally Toolkit.  The ABA Commission on Sexual Orientation and Gender Identity (SOGI) developed its LGBT Ally Toolkit as a resource for employers and human resources professionals to support their LGBT professionals and to provide education and training for their workforces. Employees who are either perceived to be or are actually LGBT experience bias and discrimination not necessarily because of their LGBT status, but rather, because of the implications of that status. Panelists will review vocabulary, resources, and scenarios developed by SOGI and discuss best practices for the elimination of bias in the legal profession for LGBT individuals. The panel will also discuss how employee education and training may be deducted as an ordinary and necessary business expense under section 162 of the Code.

Moderator: Audrey Kucia, Office of Associate Chief Counsel, (Tax Exempt and Government Entities), IRS, Washington, DC

Panelists: Paulette Brown, President of the American Bar Association, Locke Lorde, Morristown, NJ; Robert J. Neis, Benefits Tax Counsel, Office of Benefits Tax Counsel, Department of Treasury, Washington, DC; Henry Talavera, Polsinelli, Dallas, TX; Tiffany Santos, Trucker Huss, San Francisco, CA



PROGRAM SCHEDULE FRIDAY, JANUARY 29

12:30PM – 1:30PM

Salon 3, Gold Level

State & Local Taxes

Chair: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA

12:30pm The Multistate Tax Compact Under Fire: An Update on the California *Gillette v. Franchise Tax Board* Case and Litigation of This Issue in Other States. This presentation will provide an overview of the Multistate Tax Compact, including the historical context in which it was adopted and the legal differences between an interstate compact and ordinary state laws, review the key Compact provisions that taxpayers have argued provide them the right to elect to utilize three-factor apportionment to determine their income tax liability in states that adopted the Compact, and discuss the status of the various state Compact cases around the country.

Moderator: John A. Biek, Neal Gerber & Eisenberg LLP, Chicago, IL

Panelist: Edwin P. Antolin, Silverstein & Pomerantz LLP, San Francisco, CA

12:30PM – 3:30PM

Plaza 1 & 2, 3rd Floor, Hotel Tower

Young Lawyers Forum – 2016 Annual Law Student Tax Challenge Final Rounds ★

(Open to the Public)

Teams of semi-finalists, selected for their written submissions, will compete before a panel of judges who will role-play as a “client” and then as a “senior partner” in the firm. The two-member teams present their solutions to the tax planning problem and, based on their oral presentations, will be selected to compete in the afternoon final rounds.

1:30PM – 5:30PM

Salon J, Platinum Level

Employment Taxes

Chair: Dan E. Boeskin, PwC, Washington, DC

1:30pm Federal Employment Tax Update. This panel will provide a federal employment tax update. The panel will discuss new administrative, regulatory, and legislative developments as well as case law relevant to employment tax reporting and withholding.




Moderator: Dan E. Boeskin, PwC, Washington, DC

Panelists: Janine Cook, Deputy Associate Chief Counsel, IRS Office of Chief Counsel, Washington, DC (Invited); Tom Kane, Division Counsel (TEGE), IRS Office of Chief Counsel, Washington, DC (Invited)

2:55pm Joint Program with Court Procedure and Practice: Who's the Boss? Litigating Employment Tax Cases. **Note: This panel will be held in Salon C, Platinum Level.** Distinguishing between employees and independent contractors can be tough, but the challenges don't stop there. In light of Department of Justice's renewed focus on employment tax cases, particularly anti-pyramiding injunction cases, this panel will address timely topics in this area, including how employment tax cases are handled by the IRS, how cases involving worker classification wind up in Tax Court, common procedural and jurisdictional issues, and the need for more formalized procedures to address cases where it is not clear who owes the taxes (i.e., the distinction between a common law and statutory employer).

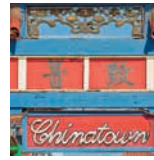
Moderator: Alexandra Minkovich, Baker & McKenzie LLP, Washington, DC

Panelists: The Honorable Cary Douglas Pugh, Judge, US Tax Court, Washington, DC; Anne Batter, Baker & McKenzie, Washington, DC; Noreene Stehlik, Senior Litigation

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Counsel, Department of Justice, Washington, DC; Patricia Wang, Managing Counsel, TEGE Division Counsel and Area Counsel (Pacific Coast Area), IRS Office of Chief Counsel, Los Angeles, CA

Co-Sponsored by: Court Procedure & Practice

3:45pm The Technology Industry and Fringe Benefits. The technology industry nurtures innovation by collecting highly educated workers into a collaborative atmosphere. In many cases, technology companies create a campus environment which allows employees to work, play, exercise, relax, and eat together. These companies often take advantage of the various Code provisions related to employer provided fringe benefits such as qualified transportation, employer provided meals, employer provided athletic facilities, and more. Listen to the panelists describe the requirements and challenges faced by technology companies in offering these benefits to their workers.

Moderator: Dan E. Boeskin, PwC, Washington, DC

Panelists: Ligeia M. Donis, PwC, Washington, DC; Anne Batter, Baker & McKenzie LLP, Washington, DC

4:45pm The Gig Economy and Worker Classification. The emerging gig economy has again raised questions about whether the workers performing services for these companies should be classified as independent contractors or employees. The panelists will consider the federal and state employment tax implications going forward of utilizing independent contractors in the gig economy.

Moderator: Megan Marlin, PwC, Washington, DC


Panelists: William Weissman, Littler Mendelson, Walnut Creek, CA; Janine Cook, Deputy Associate Chief Counsel, IRS Office of Chief Counsel, Washington, DC (Invited)

1:30PM – 2:30PM

Salon 1, Gold Level

Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee 

Chairs: Laura S. Hundley, Holland & Hart LLP, Boulder, CO; David A. Berek, Horwood Marcus & Berk Chartered, Chicago, IL

1:30pm Estate Planning Practice Issues: An Open Forum Discussion.  This program will facilitate an open forum between lawyers of all experience levels about technical and practical issues they face in their estate planning practice. A primary goal of the program is to provide more recently licensed attorneys with a friendly and low pressure environment to raise questions/comments with more seasoned estate planning practitioners.

Moderator: Benjamin G. Carter, Texas Capital Bank, Dallas, TX

1:30PM – 2:30PM

Atrium 3, 3rd Floor, Hotel Tower

Section CLE Committee 

Chair: Katherine David, Strasburger & Price LLP, San Antonio, TX




PROGRAM SCHEDULE
FRIDAY, JANUARY 29

1:30PM – 4:00PM

Salon 3, Diamond Level


Standards of Tax Practice  

Chair: Michael J. Desmond, Law Offices of Michael J. Desmond APC, Santa Barbara, CA

1:30pm **Ethical Issues in Federal Tax Practice – The Government Perspective.**  This panel will provide an update on recent guidance from the IRS and Department of Treasury, discuss issues of concern and areas of focus for the IRS Office of Professional Responsibility and give an update on pending cases that relate to tax practices standards.


Moderator: Jairo Cano, Agostino & Associates PC, Hackensack, NJ

Panelists: Steve Whitlock, Director, IRS Office of Professional Responsibility, Washington, DC; Drita Tonuzi, Associate Chief Counsel (Procedure & Administration), IRS Office of Chief Counsel, Washington, DC

2:00pm **Ethical Issues in Setting Engagement Terms.**  As a general rule, lawyers are prohibited by state ethics rules from prospectively limiting their liability to clients for professional errors and omissions, either through terms in an engagement letter or the use of a limited liability entity structure. These rules raise a number of considerations that are often not focused on until problems arise with an engagement. With the general rule prohibiting liability limitations as context, this panel will consider a number of ethical issues relating to engagement letters, including limitations on the scope of an engagement and the use of arbitration clauses. The panel will also discuss whether and to what extent the prohibition on liability limitations applies to persons beyond the lawyer engaged directly by the client as, for example, in the context of *Kovel* arrangements.





Moderator: Chad Nardiello, Nardiello Law Firm PLC, Century City, CA

Panelists: Christopher S. Rizek, Caplin & Drysdale Chartered, Washington, DC; Additional Panelists TBD

3:00pm **Ethical Issues Arising in the Context of International Tax Planning.**  In an increasingly globalized economy, practitioners are often called on to provide advice on issues that cross borders and touch on multiple different jurisdictions. This can raise a number of ethical issues, including the extent to which practitioners subject themselves to a foreign country's jurisdiction, whether they are "practicing" law or accounting in the foreign jurisdiction, and whether they are subject to ethical or other limitations on activities such as information gathering. Similar considerations arise in the context of inbound transactions, with state and federal regulators (including OPR) having an interest in foreign practitioners doing work for taxpayers in the United States. This panel will identify a number of relevant considerations and discuss appropriate practices and safeguards.

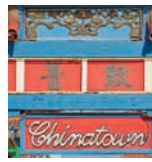
Moderator: Rachel Partain, Caplin & Drysdale Chartered, New York, NY

Panelists: Robert S. Horwitz, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA; David G. Shapiro, Saul Ewing LLP, Philadelphia, PA; Constance Shields, Withers Bergman LLP, New Haven, CT

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2:00PM – 5:00PM

Salon H, Platinum Level

Closely Held Businesses 

Chair: Shelby L. Wilson, Berchem Moses & Devlin PC, Westport, CT

- 2:00pm When the Past Is Not the Past: Cleaning Up Our Client's Past Bad Behavior.** Unreported income, employees paid in cash, misclassified expenses, overstated inventory – these are some of the recurring issues that clients bring us. Past wrongdoing may need to be addressed when a business is being sold, the IRS has contacted the taxpayer, or the owner simply cannot sleep at night. This panel will address options for resolving non-compliance in situations where the owner has been contacted by the government, and those where they have not.
- Panelists:** Eric L. Green, Green & Sklarz LLC, New Haven, CT; Frank Agostino, Agostino & Associates, Hackensack, NJ; Michael Villa, Meadows Collier Reed Cousins Crouch & Ungerman, Dallas, TX

- 3:30pm Dealing with a Decedent's Tax Fraud: Cleaning up our Dead Client's Bad Behavior.** Hidden offshore bank accounts, a second set of books, unreported taxable gifts and fraudulent income tax returns. This panel will discuss these issues as well as issues for the fiduciary who has to probate the estate, file returns and distribute assets.
- Moderator:** Shelby Wilson, Berchem Moses & Devlin PC, Milford, CT
- Panelists:** Frank Agostino, Agostino & Associates, Hackensack, NJ; Eric L. Green, Green & Sklarz LLC, New Haven, CT

2:00PM – 4:15PM

Atrium 1, 3rd Floor, Hotel Tower

Diversity 

Chair: Cathy Fung, Office of Chief Counsel (Large Business & International), IRS, Washington, DC

- 2:00pm The Earned Income Tax Credit: Delivering the Anti-Poverty Mandate.** Each year, low-income individuals and families rely on the Earned Income Tax Credit (EITC) to supplement household income and assist with necessary household expenses. This panel will focus on issues that affect a taxpayer's ability to claim the EITC, including the two-year ban under section 32(k) of the Code, the recognition of tribal clan placements of a child, and the shifts in family dynamics that create obstacles to satisfying eligibility requirements.
- Moderator:** Lany L. Villalobos, Philadelphia Legal Assistance, Philadelphia, PA
- Panelists:** The Honorable Juan F. Vasquez, Judge, US Tax Court, Washington, DC; Edward Dobson, DNA Low Income Taxpayer Clinic, Monument Valley, UT; John B. Lovelace, Attorney, Office of Associate Chief Counsel (Income Tax and Accounting), IRS, Washington, DC; Anna C. Tavis, South Brooklyn Legal Services, Brooklyn, NY
- Co-Sponsored by:** Pro Bono and Tax Clinics

- 3:00pm FATCA's Expanding Global Reach: A Concern for Big and Small.** Since its enactment in 2010, the Foreign Account Tax Compliance Act ("FATCA") has become one of the most important tools in international tax enforcement. The panel will present a brief overview FATCA and the practical issues faced by US withholding agents and foreign institutions in complying with FATCA. The panelists also will discuss the Common Reporting Standard ("CRS"), a non-US tax law version of FATCA that has been adopted by more than 50 countries. A government representative will address any further government actions in this area, and an expert from the Mexican tax administration will address the Mexican reaction to FATCA.
- Moderator:** Philip Hirschfeld, Ruchelman PLLC, New York, NY



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Panelists: Aída Gabriela Contreras Delgado, Sub-Administrator for International Tax Rulings, Mexican Tax Administration Service, Mexico, DF; Erica Gut, PwC, San Francisco, CA; Victor A. Jaramillo, Caplin & Drysdale, Washington, DC; Elena Virgadamo, Attorney Advisor, International Tax Counsel, Department of Treasury, Washington, DC

Co-Sponsored by: US Activities of Foreign Taxpayers and Treaties

2:00PM – 6:00PM

Salon 4, Diamond Level

Employee Benefits

Chair: Susan A. Wetzel, Haynes and Boone LLP, Dallas, TX

2:00pm DOL Proposed Fiduciary Regulation and Prohibited Transaction Exemptions. This panel will discuss the Department of Labor proposed fiduciary regulation and related proposed prohibited transaction exemptions.

Moderator: Bret Hamlin, Hill Ward Henderson, Tampa, FL

Panelists: David Levine, Groom Law Group Chartered, Washington, DC; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC; Alison Wielobob, Sutherland Asbill & Brennan LLP, Washington, DC; Additional Panelists TBD

3:00pm Employee Classification Under the ACA and NLRB Rules. Proper worker classification continues to raise significant issues for employers grappling with the application of the ACA. Add to that the recent guidance from the Department of Labor’s Wage and Hour Division revisiting the definition of “employee” and the Browning-Ferris decision from the NLRB finding expanded joint-employer status. The panel will discuss these developments and the questions they raise.

Moderator: W. Waldan Lloyd, Callister Nebeker & McCullough, Salt Lake City, UT

Panelists: Greta Cowart, Winstead PC, Dallas, TX; Alden Bianchi, Mintz Levin Cohn Ferris Glovsky and Popoeo PC, Boston, MA; Tamara I. Devitt, Haynes and Boone LLP, Costa Mesa, CA

4:00pm Pension Benefit Guaranty Corporation / Department of Treasury / Internal Revenue Service Hot Topics. Representatives from the Department of Treasury, Internal Revenue Service, and Pension Benefit Guaranty Corporation will review recent guidance from, and current developments at, their agencies that impact employee benefits.

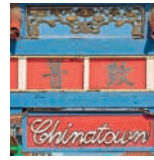
Moderator: Robert A. Miller, Calfee Halter & Griswold LLP, Cleveland, OH

Panelists: J. Mark Iwry, Senior Advisor to the Secretary and Deputy Assistant Secretary for Retirement and Health Policy, Department of Treasury, Washington, DC (Invited); Robert Neis, Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Sunita B. Lough, Commissioner, Tax Exempt & Government Entities Division, IRS, Washington, DC (Invited); Seth Tievsky, Senior Technical Advisor, TE/GE, IRS, Washington, DC (Invited); Victoria Judson, Associate Chief Counsel, Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Stephen Tackney, Deputy Associate Chief Counsel (Employee Benefits), Office of Associate Chief Counsel (TEGE), IRS, Washington, DC (Invited); Joel Ruderman, Assistant Chief Counsel, Pension Benefit Guaranty Corporation, Washington, DC (Invited)

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FRIDAY, JANUARY 29



5:00pm **Treasury / IRS Fireside Chat.** ☎ Informal “town hall” discussion with Department of Treasury and IRS representatives on topics of interest to attendees.

6:00pm **Corporate Counsel Corner.** ☎ Informal meeting for in-house counsel attendees.
Chairs: Jacquelyn Abbott, ExxonMobil, Houston, TX; Jennifer M. Wolff, Chevron Corporation, San Ramon, CA

6:00pm **Networking Reception.** ☎ **Diamond Foyer, Diamond Level**
Sponsored by: Practical Law

2:00PM – 5:00PM **Salon F, Platinum Level**

Financial Transactions 🗣

Chair: Eileen Marshall, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

2:00pm **All Things Bright and Beautiful: Applying the Final Section 871(m) Regulations Beyond Single Name NPCs.** The panel will discuss the final section 871(m) regulations with a particular emphasis on the practical application of the regulations to common financial instruments, including structured notes, listed options, index derivatives and derivatives on partnership interests. The panel will also address areas in which additional guidance is needed and suggestions regarding such guidance.

Moderator: Jeffrey D. Hochberg, Sullivan & Cromwell LLP, New York, NY

Panelists: Matthew A. Stevens, EY, Washington, DC; Mark E. Erwin, Branch Chief, Branch 5, IRS Office of Associate Chief Counsel (International), Washington, DC

3:00pm **The Cottage Savings Regulations Revisited.** The panel will discuss proposed refinements to the debt modification regulations based on the myriad issues that have arisen in practice since the regulations were finalized.

Moderator: David C. Garlock, EY, Washington, DC

Panelists: Eileen Marshall, Wilson Sonsini Goodrich & Rosati PC, Washington, DC; Michael K. Yagmour, EY, Washington, DC

4:00pm **The Straddle Rules at Middle Age.** The straddle rules are approximately 35 years old. The breadth of the application of those rules today might surprise and bewilder the original drafters. The panelists will consider the current interpretation of the scope of these rules in the modern era, highlight the technical and practical challenges these raise and suggest where the rules ought to go in the next 35 years.

Moderator: Rebecca E. Lee, PwC, San Francisco, CA

Panelists: Erika W. Nijenhuis, Cleary Gottlieb Steen & Hamilton LLP, New York, NY; John Kaufmann, Greenberg Traurig LLP, New York, NY

2:00PM – 5:00PM **Salon 4, Gold Level**

State & Local Taxes 🗣

Chair: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA

2:00pm **Retroactive State Taxation: It's Back(ward)!** Across the country, state legislatures are enacting, and courts are upholding, legislation that retroactively changes taxpayers' obligations. This panel will discuss several of the widely-reported cases, where state courts have permitted, for example, an 8 or 10 year period of retroactivity, as well as pending cases in California and Michigan involving the retroactive repeal of an election to use the MTC's three factor apportionment formula to determine taxable income. The panel will consider the principal motivations of state legislatures in enacting retroactive tax laws which have the effect of avoiding



PROGRAM SCHEDULE FRIDAY, JANUARY 29

the payment of significant refunds and overturning taxpayer-friendly court cases. Panelists will also review the Supreme Court's retroactivity jurisprudence and its application in recent cases and address what taxpayers can do to take a stand against retroactive state taxation.

Moderator: Debra S. Herman, Hodgson Russ LLP, New York, NY

Panelists: Dirk Giseburt, Davis Wright Tremaine LLP, Seattle, WA; Gregory Nowak, Miller Canfield Paddock & Stone, Detroit, MI; Pilar Mata, Tax Executives Institute Inc., Washington, DC

3:00pm Applying Deference In Tax Cases. This panel will examine the standards of review used by tax tribunals, state trial and appellate courts in tax cases and the extent to which the case law supports according deference to the decisions of the taxing authorities. The panel will distinguish the appropriate standard of review from burden of proof and explore the relationship between the standard of review and rules of construction for tax statutes (generally construed in favor of taxpayers while the entitlement to exemptions is generally construed narrowly). The discussion will include examples of how the various standards of review are being applied in the states.

Moderator: Edward J. Bernert, Baker & Hostetler LLP, Columbus, OH

Panelists: The Honorable Cade Cole, Judge, Louisiana Board of Tax Appeals, Baton Rouge, LA; Masha Yevzelman, Fredrikson & Byron PA, Minneapolis, MN; Professor Steve R. Johnson, Florida State University College of Law, Tallahassee, FL

4:00pm Sunlight as a Disinfectant versus the Possible Perils of Government in a Fishbowl: Transparency in Tax Administration and the Role of the Tax Department. This panel will address transparency in state taxation through the lens of a less traditional paradigm – civic duties, professional duties and duty to the tax system as a whole.

Moderator: Mark F. Sommer, Frost Brown Todd, Louisville, KY

Panelists: The Honorable William L. Thompson, Judge, Alabama Tax Tribunal, Montgomery, AL; Cara Griffith, Tax Analysts, Arlington, VA; Professor Rick Handel, University of South Carolina School of Law, Columbia, SC

2:30PM – 5:30PM

Georgia 2, 3rd Floor, Hotel Tower

Bankruptcy & Workouts



Chair: Wm. Robert Pope, Jr., White & Reasor PLC, Nashville, TN

2:30pm Late Filed Return Judicial Doctrine and the IRS's Substitute for Return Process. A review of the Chief Counsel's litigating position and how the IRS has implemented that position. A review of IRS § 6020(a) and (b). Careful examination of account transcripts to define when an SFR assessment has occurred.

Panelists: Wm. Robert ("Bob") Pope, Jr., White & Reasor PLC, Nashville, TN; Christin M. Bucci, The Bucci Law Offices, Fort Lauderdale, FL; Kenneth C. Weil, Law Office of Kenneth C. Weil, Seattle, WA

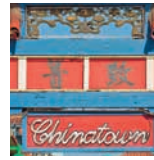
Co-Sponsored by: Individual & Family Taxation

3:30pm Bankruptcy Rules That Tax Practitioners Should Know: (Other than the 3 year, 240-day and 2-year Rules). Judge Mark Wallace will discuss some of the nuances of tax litigation in bankruptcy and possible procedural pitfalls during the bankruptcy process. Topics include how adversary proceedings run and the tax trap that may be hiding in motions for relief from stay. Ken Weil will discuss important bankruptcy

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rules that may be unfamiliar to tax practitioners but central to whether the tax debtor receives a discharge. For example, having your client change bank accounts prepetition to avoid an IRS levy may put the bankruptcy discharge at risk.

Panelists: The Honorable Mark S. Wallace, US Bankruptcy Judge, Central District of California (Santa Ana Division), Santa Ana, CA; Kenneth C. Weil, Law Office of Kenneth C. Weil, Seattle, WA

4:30pm Loss Planning for Corporate Taxpayers. This panel will cover recent cases and rulings related to the recognition and utilization of losses by corporate taxpayers.

Moderator: Derek Krozek, Deloitte Tax LLP, Detroit, MI

Panelists: Mark Schneider, Deloitte Tax LLP, Washington, DC; Richard McManus, PwC, Washington, DC

2:30PM – 5:30PM

Salon C, Platinum Level

Court Procedure & Practice

Chair: Juan F. Vasquez, Jr., Chamberlain Hrdlicka White Williams & Aughtry, Houston, TX

2:30pm Current Developments. This panel will include a report from the US Tax Court, significant IRS guidance and litigation including a proposed update to Rev. Proc. 87-24 regarding Appeals, an update on Tax Division priorities, recent partnership audit legislation, and significant pending litigation.

Moderator: Elizabeth Blickley, Holland & Knight LLP, Chicago, IL

Panelists: The Honorable Michael Thornton, Chief Judge, US Tax Court, Washington, DC; Drita Tonuzi, Associate Chief Counsel (Procedure & Administration), IRS Chief Counsel, Washington, DC; Diana Erbsen, Deputy Assistant General for Appellate and Review, Department of Justice, Washington, DC; Rochelle Hodes, Associate Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC

2:55pm Joint Program with Employment Taxes: Who's the Boss? Litigating Employment Tax Cases.

Distinguishing between employees and independent contractors can be tough, but the challenges don't stop there. In light of Department of Justice's renewed focus on employment tax cases, particularly anti-pyramiding injunction cases, this panel will address timely topics in this area, including how employment tax cases are handled by the IRS, how cases involving worker classification wind up in Tax Court, common procedural and jurisdictional issues, and the need for more formalized procedures to address cases where it is not clear who owes the taxes (i.e., the distinction between a common law and statutory employer).

Moderator: Alexandra Minkovich, Baker & McKenzie LLP, Washington, DC

Panelists: The Honorable Cary Douglas Pugh, Judge, US Tax Court, Washington, DC; Anne Batter, Baker & McKenzie, Washington, DC; Noreene Stehlik, Senior Litigation Counsel, Department of Justice, Washington, DC; Patricia Wang, Managing Counsel, TEGE Division Counsel and Area Counsel (Pacific Coast Area), IRS Office of Chief Counsel, Los Angeles, CA

Co-Sponsored by: Employment Taxes

3:40pm Disclosure, FOIA and Tax Litigation. Information wants to be free but that is not always the case in tax litigation. This panel will discuss the advantages and challenges associated with the use of FOIA as an information gathering tool in tax



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litigation. The panel will discuss the general disclosure framework, the scope of appropriate requests and responses, tax specific disclosure exceptions, administrative remedies, and what it takes to file a successful action to compel disclosure.

Moderators: Anson Asbury, Asbury Law Firm, Atlanta, GA

Panelists: The Honorable Peter J. Panuthos, Chief Special Trial Judge, US Tax Court, Washington, DC; Frank Agostino, Agostino & Associates, Hackensack, NJ; Bryan Skarlatos, Kostelanetz & Fink, New York, NY; Drita Tonuzi, Associate Chief Counsel (Procedure and Administration), IRS Office of Chief Counsel, Washington, DC

4:25pm The Other Shoe is Dropping – Criminal Enforcement and Civil Assessment and Collection of FBAR and International Information Return Penalties. Numerous cases are now pending in the IRS Appeals or are in litigation or being criminally investigated and more are coming up the pipeline. The panel will discuss the statutory and procedural requirements for imposing FBAR, Form 3520, Form 5471 and other international information return penalties. The discussion will focus on the government's options for assessing and collecting these penalties and practitioners' options for disputing the proposed assessments.

Moderators: Zhanna A. Ziering, Caplin & Drysdale Chartered, New York, NY

Panelists: Jennifer D. Auchterlonie, Trial Attorney, Tax Division, Department of Justice, Washington, DC; Peter K. Reilly, Special Counsel, Office of Associate Chief Counsel (Procedure & Administration), IRS, Washington, DC; Igor S. Drabkin, Holtz Slavett & Drabkin, Beverly Hills, CA; Richard J. Sapinski, Sills Cummis & Gross PC, Newark, NJ

2:30PM – 5:30PM

Salon 8, Diamond Level

Insurance Companies

Chair: Bryan W. Keene, Davis & Harman LLP, Washington, DC

2:30pm P&C Loss Reserves. The panel will discuss current federal income tax developments involving loss reserves for property and casualty insurers, including recent litigation.

Moderator: Mary Monahan, Sutherland Asbill & Brennan LLP, Washington, DC

Panelist: Gus Mather, State Farm, Bloomington, IL

3:30pm International Reporting Issues. The panel will discuss recent developments involving FATCA, BEPS, and the Common Reporting Standard as they relate to insurance companies and products, including issues involving Foreign Financial Institutions and Non-Financial Foreign Entities.

Moderator: Chris Ocasal, EY, Washington, DC

Panelists: Anthony Calabrese, EY, Chicago, IL; Stuart Katz, KPMG, New York, NY; Susan Seabrook, Buchanan Ingersoll Rooney PC, Washington, DC

4:30pm Product Update. The panel will provide an update on recent federal income tax developments affecting life insurance and annuity products.

Moderator: Chris Phanco, Pacific Life Insurance Company, Newport Beach, CA


Panelists: Sheryl Flum, KPMG LLP, Washington, DC; Bryan W. Keene, Davis & Harman LLP, Washington, DC

2:30PM – 6:00PM

Salon 2, Diamond Level

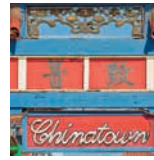
Public Service Fellowship (Executive Session)

Chair: Rudolph Ramelli, Jones Walker LLP, New Orleans, LA

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2:30PM – 5:30PM

Salon 5, Diamond Level

Real Estate

Chair: Robert D. Schachat, EY, Washington, DC

- 2:30pm Real Estate Intangibles.** This panel will discuss the complexities and issues that arise in practice as a result of real estate intangibles, particularly with respect to REITs and FIRPTA, and will address recent developments and administrative guidance.
Moderator: Adam Handler, PwC, Los Angeles, CA
Panelists: Andrea M. Hoffenson, Branch Chief, Financial Instruments & Products, IRS Office of Chief Counsel, Washington, DC; Pardis Zomorodi, Partner, Latham & Watkins, Los Angeles, CA
- 3:30pm Capital Gain Planning.** This panel will explore planning techniques for maximizing capital gains and minimizing unrecaptured section 1250 gain and ordinary income for real estate transactions.
Moderator: James M. Lowy, EY, Mill Valley, CA
Panelists: Terence F. Cuff, Loeb & Loeb, Los Angeles, CA; Jill E. Darrow, Katten Muchin Rosenman LLP, New York, NY
- 4:15pm Fractions Rule Update.** This panel will discuss the myriad of problems in applying the fractions rule and what to expect in long-awaited fractions rule guidance that may be issued before the meeting.
Moderator: James B. Sowell, KPMG LLP, Washington, DC
Panelists: Ossie Borosh, Attorney-Advisor, Office of Tax Legislative Counsel, Department of Treasury, Washington, DC; Adam S. Feuerstein, PwC, Washington, DC
- 4:45pm Casualties and Condemnations.** This panel will discuss deferral under section 1033 and the general treatment of casualty losses and insurance recoveries.
Moderator: Glenn M. Johnson, EY, Washington, DC
Panelists: Kelly Alton, NES Financial, San Jose, CA; David Shechtman, Drinker Biddle & Reath LLP, Philadelphia, PA

2:30PM – 5:30PM

Salon 6, Diamond Level

S Corporations

Chair: Laura Howell-Smith, Deloitte Tax LLP, Washington, DC

- 2:30pm Important Developments.** Discussion of recent legislative, administrative and judicial developments relating to S Corporations and their shareholders.
Moderator: Brad Gould, Dean Mead Minton & Zwerner, Ft. Pierce, FL
Panelists: Laura Krebs Al-Shathir, Capes Sokol Goodman & Sarachan PC, St. Louis, MO; Bryan Keith, Grant Thornton LLP, Washington, DC
- 3:00pm Pesky S Corporation M&A Issues.** This panel will discuss various merger and acquisition issues involving S corporation including installment reporting for OldCo and shareholders upon liquidation; reporting earn outs and contingency payments; restructuring when S corporation status is questionable and therefore section 338(h)(10) unavailable; restructuring when S corporation is a member of an LLC; valuation issues; section 336(e).
Panelists: Kevin Anderson, BDO, Washington, DC; Stephen R. Looney, Dean Mead Egerton Bloodworth Capouano & Bozarth PA, Orlando, FL



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- 4:15pm State and Local Tax Issues Related to Mergers and Acquisitions of S Corporations.**
This panel will discuss the state and local tax issues in a number of states including New York and California related to mergers and acquisitions of S corporations.
Panelist: Ken Reichel, Deloitte Tax LLP, Atlanta, GA; Toni Lewis, San Jose, CA



2:30PM – 5:30PM

Salon 9, Diamond Level

Tax Accounting

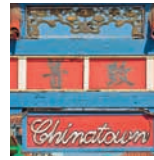
Chair: Colleen M. O'Connor, KPMG LLP, Washington, DC

- 2:30pm Current Developments.** This panel will review recent developments in the area of tax accounting since the Section of Taxation meeting held in September in Chicago, IL. The panel will also discuss ongoing projects and anticipated guidance, with commentary and input from our guests from the IRS and Department of Treasury.
Moderator: David Schneider, Skadden Arps, Washington, DC
Panelists: Wendy Friese, Deloitte Tax LLP, Washington, DC; John Moriarty, Acting Associate Chief Counsel, Income Tax & Accounting, IRS, Washington, DC; Scott Dinwiddie, Special Counsel to the Associate Chief Counsel, Income Tax & Accounting, IRS, Washington, DC; Thomas Moffitt, Branch Chief, Branch 2, Income Tax & Accounting, IRS, Washington, DC; Christopher Call, Attorney-Advisor, Office of Tax Policy, Department of Treasury, Washington, DC; Ken Beck, Taxation Specialist, Office of Tax Policy, Department of Treasury, Washington, DC
- 3:15pm Timing of Deductions for Ratable Service Contracts.** This panel will discuss Revenue Procedure 2015-39, which addresses the application of the recurring item exception and "3½ month rule" to service contracts. The discussion will also address the interaction of Revenue Procedure 2015-39 with other guidance issued in recent years addressing the application of the all-events test and recurring item exception to service liabilities, and the interaction between the timing of deductions by the recipient of the services and the recognition of income by the service provider.
Moderator: Les Schneider, Ivins Phillips & Barker, Washington, DC
Panelists: Jane Rohrs, Deloitte Tax LLP, Washington, DC; John Moriarty, Acting Associate Chief Counsel, Income Tax & Accounting, IRS, Washington, DC; Thomas Moffitt, Branch Chief, Branch 2, Income Tax & Accounting, IRS, Washington, DC
- 4:00pm Recent Developments Concerning the Research and Development Credit.** This panel will review recent developments in the R&D credit area, including a discussion of the proposed regulations addressing internal use software, recent case law addressing funded research and legislative activity.
Moderator: Michael Boenzi, Grant Thornton LLP, Chicago, IL
Panelists: Steven Arkin, Deloitte Tax LLP, Washington, DC; Danielle Grimm, Special Counsel, Passthroughs and Special Industries, IRS, Washington, DC; Christopher Call, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC
- 4:45pm Recent Developments in Section 199.** This panel will review recent guidance, including final and proposed regulations, addressing various aspects of the deduction available for certain domestic production activities. The panel will also address anticipated guidance addressing the application of section 199 to software development activities.
Moderator: Connie Cheng, KPMG LLP, Washington, DC

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Panelists: George Manousos, PwC, Washington, DC; James Holmes, Branch 5, Passthroughs and Special Industries, IRS, Washington, DC; Ken Beck, Taxation Specialist, Office of Tax Policy, Department of Treasury, Washington, DC

2:30PM – 5:30PM

Georgia 1, 3rd Floor, Hotel Tower

Tax Exempt Financing

Chair: Stefano Taverna, McCall Parkhurst, Dallas, TX

2:30pm Legislative, Treasury and Internal Revenue Service Update. This panel will discuss new legislative initiatives that may affect tax exempt financing, and any new Treasury and IRS regulations and other guidance in the tax-exempt bond area, including the Proposed Issue Price Regulations and the Private Use Allocations Regulations.

Moderator: Stefano Taverna, McCall Parkhurst, Dallas, TX

Panelists: John Cross III, Attorney-Advisor, Tax Legislative Counsel, Department of Treasury, Washington, DC; Johanna Som de Cerff, Senior Technical Reviewer, Branch 5, Financial Institutions and Products, Office of Chief Counsel, IRS, Washington, DC; Todd Mitchell, Group Manager, Tax Exempt Bonds, Compliance & Program Management, IRS, Washington, DC; Mark Norell, Sidley Austin, New York, NY; Darren McHugh, Stradling Yocca, Denver, CO

3:45pm Public / Private Partnerships: The Impact of the New Mixed Use Treasury Regulations on P3 Transactions. This panel will discuss the application of the new Treasury Regulations relating to mixed use to typical public/private partnerships, the ABA comments recently submitted relating to public/private partnership structures, and areas that will need to be addressed.

Moderator: Carol Lew, Stradling Yocca, Newport Beach, CA

Panelists: Mike Bailey, Foley Lardner, Chicago, IL; Michela Daliana, Hawkins Delafield, New York, NY; Michael Thomas, Kutak Rock, Denver, CO

4:35pm Tax Issues in Seaport and Airport Financings: "It Is Not Always a Carnival When You Make a Deal with Royal Caribbean, Even If You Are Norwegian." The world grows ever more connected. The Panama Canal is widening. Bigger ships need deeper ports and bigger cranes. Airlines have consolidated. Airports have been "de-hubbed." Seaports and airports need to be multimodal, integrating air, rail, sea, and highway transit. Airports and seaports are vital economic development tools, now more than ever. This connectivity brings increasing complexity and increasing complexity imposes greater demands for financial tools that can keep up. All of which leads to new challenges from a federal tax perspective in airport and seaport finance. This panel will examine those federal tax challenges.

Moderator: Todd L. Cooper, Squire Patton, Cincinnati, OH

Panelists: Larry Carlisle, Kutak Rock, Denver, CO; Charlie Almond, Bracewell & Guiliani, Houston, TX

3:00PM – 5:00PM

Salon D, Platinum Level

Foreign Lawyers Forum

Chair: Thierry Boitelle, Bonnard Lawson, Geneva, Switzerland

3:00pm The 2016 EU Tax Update - All You Can Eat in Just Two Hours. A carefully selected panel of prominent EU tax practitioners from Spain, the Netherlands, the United Kingdom and Luxembourg will present you in just two hours with an update about the most important EU tax developments. The panel will in particular deal with the following matters: What is forbidden fiscal State Aid in the EU and how should



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the recent decisions in the Starbucks and Fiat cases be interpreted? What are the anticipated next steps of the EU Commission? What should US multinationals be aware of? Is the European Commission aiming specifically at US multinationals or is it rather the US corporate tax system that forces US multinationals to use more aggressive and thus more risky tax planning? The automatic exchange of tax rulings and the link with Fiscal State Aid. The new anti-abuse provisions in the EU Tax Directives, an update about EU IP boxes (incl. Luxembourg's announced abolishment) and further points of the EU Commission's tax action plan.

Moderator: Carol Tello, Sutherland Asbill & Brennan LLP, Washington DC

Panelists: Pere Pons, Uriá Menendez, New York, NY; Ernst Sandelowsky, De Brauw Blackstone Westbroek, New York, NY; Renáta Ardous, Mazars LLP, London, UK (Invited); Christophe Joosen, NautaDutilh, Luxembourg (Invited)

3:00PM – 4:00PM

Olympic 3, 3rd Floor, Hotel Tower

Sponsorships

Chair: Charles Rettig, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA

3:00PM – 4:30PM

Salon 2, Gold Level

Teaching Taxation

Chair: Professor Anthony Infanti, University of Pittsburgh, Pittsburgh, PA

3:00pm Inequality and Taxation. The debate over the nature of inequality and social mobility in the United States, and the corresponding role of taxation, continues to be at the center of public discourse. Potential tax reform will remain a major topic in political conversations in the coming year. Panelists will debate and discuss both the underlying issues and possible responses from the tax system, including redistribution and taxation, wealth concentration and estate and gift taxation, creative tax reform, and the legal and practical limits on a tax response to inequality.

Moderator: Professor Kerry Ryan, St. Louis University School of Law, St. Louis, MO

Panelists: Professor Neil Buchanan, George Washington University Law School, Washington, DC; Professor Goldburn Maynard, Jr., University of Louisville Brandeis School of Law, Louisville, KY; Professor Miranda Fleischer, University of San Diego School of Law, San Diego, CA

4:00PM – 4:30PM

Olympic 1, 3rd Floor, Hotel Tower

Companion Event Committee

Chair: Charles Rettig, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA

4:00PM – 5:30PM

Salon 3, Gold Level

Young Lawyers Forum ★

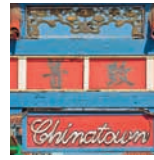
Chair: Anne-Marie Diggle Rabago, California Western School of Law, San Diego, CA

4:00pm Solutions – A Law Student Tax Challenge (LSTC) Case Study. ★ This panel will use the Fifteenth Annual LSTC problems – both the J.D. Division and the LL.M. Division – as the basis for a case study of the individual federal income tax and international tax issues presented by this year's problems.

Panelists: Jessica N. Cory, Chamberlain Hrdlicka White Williams & Aughtry, Houston, TX; Micah J. Gibson, PwC, Washington, DC; Morgan L. Klinzing, Pepper Hamilton LLP, Philadelphia, PA; Anne-Marie Rábago, California Western School of Law, San Diego, CA

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4:30PM – 5:30PM Salon 1, Diamond Level

Publications

Chair: Julie Divola, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA

5:30PM – 6:30PM Salon 1, Gold Level

Diversity & Young Lawyers Forum Networking Reception ★

Sponsored by: Chapman University Fowler School of Law

5:30PM – 6:30PM Atrium 3, 3rd Floor, Hotel Tower

Foreign Activities of US Taxpayers Business Meeting

5:45PM – 6:30PM Olympic 1, 3rd Floor, Hotel Tower

Foreign Lawyers Forum Business Meeting

5:45PM – 6:30PM Atrium 2, 3rd Floor, Hotel Tower

Transfer Pricing Business Meeting

5:45PM – 6:30PM Olympic 3, 3rd Floor, Hotel Tower

US Activities of Foreigners & Tax Treaties Business Meeting

6:30PM – 8:00PM The Ebell of Los Angeles

Section Reception *(Ticketed Event)*

Enjoy great food and drinks with your colleagues and friends. Tickets can be purchased at registration until 6:30pm on Friday.

8:00PM – 10:00PM Café Pinot

International Committees Dinner ★ *(Reservation Required)*



PROGRAM SCHEDULE

SATURDAY, JANUARY 30

7:00AM – 4:00PM

Platinum Foyer, Platinum Level

Hospitality Center  (Complimentary)

Continental breakfast will be served in the morning. Snacks, coffee, sodas and water will be available in the afternoon.

7:15AM – 8:30AM

Salon A, Platinum Level

Real Estate, Partnerships & LLCs and S Corporations “Shop Talking” Breakfast  (Ticketed Event)



Members of the Real Estate, Partnerships & LLCs and S Corporations Committees will gather for the traditional “open mic” breakfast to share ideas and war stories and to seek input on technical issues.

7:30AM – 8:30AM

Salon 3, Diamond Level

Tax Practice Management  

Chair: Robb A. Longman, Longman & Van Grack, LLC, Bethesda, MD

7:30am Social Media and the Tax Lawyer: An Update on Avoiding Ethical Traps.   This panel will provide practical and current advice on using social media in your tax practice with an emphasis on ethical considerations.

Moderator: Anne-Marie Diggle Rabago, California Western School of Law, San Diego, CA

Panelists: Professor Michael B. Lang, Chapman University Fowler School of Law, Orange, CA; Nikki J. Hasselbarth, Venable LLP, Baltimore, MD

Co-Sponsored by: Young Lawyers Forum

7:45AM – 9:00AM

Salon 5, Diamond Level

Court Procedure & Practice Officers and Subcommittee Chairs Breakfast  (Ticketed Event)

8:30AM – 11:30AM

Salon 4, Diamond Level

Employee Benefits 





Chair: Susan A. Wetzel, Haynes and Boone LLP, Dallas, TX

8:30am Hot Topics for Proxy Season 2016. After a long waiting period, the SEC has issued proposed and final guidance on a number of the key Dodd-Frank compensation provisions. What should companies and their counsel be doing now as we approach the height of proxy season? Our panelists will provide an update on the latest guidance and offer practical insights as to what to do in this year’s disclosures and how to start preparing now for disclosures which will be required in upcoming seasons.

Moderator: Martha N. Steinman, Hogan Lovells US LLP, New York, NY

Panelists: Mark Borges, Compensia Inc., San Francisco, CA; Susan Daley, Perkins Coie, Chicago, IL; Elizabeth Gartland, Fenwick & West LLP, San Francisco, CA; Charmaine Slack, Jones Day, New York, NY

9:30am Current and Future Developments Under the Affordable Care Act and for Health and Welfare Plans: Information Reporting, Market Reforms, Wellness Plans, and the Cadillac Tax. This panel will focus on current and future developments under the Affordable Care Act and health and welfare plan guidance. The panelists will provide an update on compliance with ACA information reporting requirements including how to request extensions and how to obtain a reasonable cause waiver from the

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assessment of penalties; the ACA market reforms and the final regulations including application of particular rules to employer-sponsored plans; wellness plan including the EEOC rules; and section 4980I (the Cadillac tax) including the status of proposed legislation and regulatory guidance.

Moderator: Helen Morrison, EY, Washington, DC

Panelists: Robyn S. Crosson, ADP TotalSource, Indianapolis, IN; Elena Kaplan, Jones Day, Atlanta, GA; Alden Bianchi, Mintz Levin, Boston, MA; Gabriel Marinaro, Smith Haughey Rice & Roegge, Ann Arbor, MI; Carol Weiser, Deputy Benefits Tax Counsel, Department of Treasury, Washington, DC (Invited); Christa Bierma, Associate Counsel, Department of Treasury, Washington, DC (Invited); Stephen Tackney, Associate Chief Counsel (Employee Benefits), IRS Office of Chief Counsel (TEGE), Washington, DC (Invited); Kevin Knopf, Senior Technical Reviewer, IRS, Washington, DC (Invited)

10:30am Upcoming US Supreme Court Decisions. There are three cases before the US Supreme Court this term that will be relevant to employee benefits practitioners. They include: *Montanile v. Board of Trustees* (a subrogation case in which the recovery of medical claims have been dissipated and no longer traceable); *Gobeille v. Liberty Mut. Ins. Co.* (a preemption case involving Vermont's law requiring healthcare payors to submit claims data to the state); and *Spokeo, Inc. v. Robbins* (a standing case that could impact whether ERISA participants have Article III standing to bring claims based on ERISA statutory violations).

Moderator: Kathryn J. Kennedy, The John Marshall Law School, Chicago, IL

Panelists: Elizabeth Hopkins, Office of the Solicitor, PBSO, Department of Labor, Los Angeles, CA (Invited); Teresa Renaker, Renaker Hasselman, San Francisco, CA; Howard Shapiro, Proskauer, New Orleans, LA; Peter Stris, Stris & Maher LLP, Los Angeles, CA

8:30AM – 11:30AM

Salon 9, Diamond Level

Fiduciary Income Tax

Chair: David A. Berek, Horwood Marcus & Berk Chartered, Chicago, IL

8:30am Current Developments. Jeff Gonya will review current developments in fiduciary income tax, and Cathy Hughes will update the committee on developments with the Department of Treasury and the Internal Revenue Service. Larry Katzenstein will also discuss the charitable provisions contained in section 344 of the Protecting Americans From Tax Hikes Act of 2015.

Panelists: Catherine V. Hughes, Office of Tax Policy, Department of Treasury, Washington, DC; Jeffrey K. Gonya, Venable LLP, Baltimore, MD; Larry Katzenstein, Thompson Coburn, St. Louis, MO

8:55am Strategies for Dealing with Trust UNI: How to Prevent Income Tax Armageddon. Distributions of undistributed net income (UNI) from foreign trusts to US taxpayer beneficiaries can be subject to a throwback tax of up to 100% of the distribution amount. This presentation gives an overview of how UNI is accumulated in foreign trusts and will provide tax-efficient strategies for dealing with trusts that contain substantial or unknown UNI.

Panelists: Michael Rosen-Prinz, McDermott Will & Emery, Los Angeles, CA; John Strohmeyer, Crady Jewett & McCulley LLP, Houston, TX

9:35am The Beneficiary Defective Irrevocable Trust (“BDIT”) – How Does It Work and Who Is It Best Suited For? Should You Just BDIT? A “BDIT” is a dynastic trust generally created for the benefit of a client by a member of his family that can



PROGRAM SCHEDULE

SATURDAY, JANUARY 30

produce transfer tax savings and offer creditor protection even though the client is a beneficiary and investment trustee. Because the BDIT is a grantor trust with respect to the client for income tax purposes, the client can transfer significant wealth to the BDIT without income tax consequences, while still obtaining beneficial enjoyment of the BDIT's assets. This program will discuss how a BDIT is structured and different scenarios which may be best suited to the use of a BDIT.

Panelist: Richard A. Oshins, Oshins & Associates LLC, Las Vegas, NV

10:50am What the FATCA? An Update on Foreign and Informational Reporting Relevant to Estate Planners. The provisions of the Foreign Account Tax Compliance Act (FATCA) requires US taxpayers, foreign financial institutions (FFIs) and non-financial foreign entities (NFFEs) to comply with informational returns for the purpose of identifying US persons who are beneficial owners in foreign financial accounts and/or non-financial foreign entities. The provisions raise numerous issues for estate planning and estate administration. Estate planners for clients whose estates may include offshore assets should be aware of these rules and how to comply. This program will include a brief overview of FATCA and how it impacts individuals, trusts, and estates. The program will also take a look at foreign trusts and explain how to determine whether a trust is a Foreign Financial Institution (FFI) or a Non-Financial Foreign Entity (NFFE), and whether NFFE's are passive or active, and the tax and compliance consequences of these characterizations, including withholding.

Moderator: Stacey Delich-Gould, Venable LLP, New York, NY


Panelist: Megan L. Brackney, Kostelanetz & Fink LLP, New York, NY; Charles Kolstad, Venable LLP, Los Angeles, CA

8:30AM – 10:30AM


Salon F, Platinum Level

LLCs and LLPs Subcommittee of Partnerships & LLCs

Chair: J. Leigh Griffith, Waller Lansden Dortch & Davis LLP, Nashville, TN

8:30am Use of Section 336(e) Elections by Pass-through Entity Acquirers.  An analysis of how section 336(e) elections can be utilized as perhaps the best way for a pass-through entity to acquire a corporate target. Will also address certain potential changes to the section 336(e) regulations which would benefit pass-through entity acquirers.

Panelist: Scott J. Bakal, Neal Gerber & Eisenberg LLP, Chicago, IL

9:30am Dual Status Partners.  Recap of the Partnership & LLC Committee presentation "What Am I? - Dual Status as Partner and Employee" and possible administrative solutions and problems providing for Dual Status.

Panelists: Jeanne M. Sullivan, KPMG LLP, Washington, DC; Kurt L.P. Lawson, Hogan Lovells US LLP, Washington, DC; Additional Panelists TBD

8:30AM – 11:30AM



Salon I, Platinum Level

Pro Bono & Tax Clinics

Chair: Andrew R. Roberson, McDermott Will & Emery LLP, Chicago, IL

8:30am Earned Income Credit Issues and Updates. Earned Income Tax Credit (EITC) audits comprise about a third of all individual taxpayer audits. This panel will discuss current issues and legal updates related to the EITC, including penalties for erroneously claiming the EITC and recertification following disallowance.

Moderator: Susan Morgenstern, Taxpayer Advocate Service, Cleveland, OH

 = Taped ★ = Young Lawyers Program ⚖️ = Ethics Credits Requested  = No CLE Credit



Panelists: Jamie Andree, Indiana Legal Services Inc., Bloomington, IN; Professor Scott Schumacher, University of Washington School of Law, Seattle, WA; Professor Kathryn Sedo, University of Minnesota Law School, Minneapolis, MN

9:45am National Taxpayer Advocate's Annual Report to Congress. This annual presentation brings Nina Olson to the committee to talk about the National Taxpayer Advocate's annual report to Congress and to highlight the most important features of the report.

Panelist: Nina Olson, National Taxpayer Advocate, IRS, Washington, DC

10:30am Immigration Issues. This panel will address the intersection of tax and immigration law as it affects low-income individuals and families. Recent developments including DACA, DAPA, and the implementation of the Affordable Care Act have complicated an already-complex area of law and increased the need for legal assistance.

Moderator: Ariel Stevenson, Bet Tzedek Legal Services, Los Angeles, CA

Panelists: Ana Cecilia Lopez, Gravis Law PLLC, Bellingham, WA; Joshua Stehlik, National Immigration Law Center, Los Angeles, CA; Robert W. Wunderle, La Posada Tax Clinic, Twin Falls, ID

8:30AM – 11:30AM

Salon C, Platinum Level

Sales, Exchanges & Basis ★

Chair: Mary B. Foster, 1031 Services Inc., Bellevue, WA

8:30am Current Developments in Sales, Exchanges & Basis. ★ Panelists review recent case law and guidance on traditional sale, exchange, and basis issues.

Panelist: Kelly A. Alton, NES Financial Corp., San Jose, CA

9:00am Section 1031 Transactions, California-Style. This panel will review how California Franchise Tax Board positions on 1031 exchanges may differ from federal rules, including Board positions concerning Rev. Proc. 2002-22 tenancies in common, swap-and-drop transactions, and swaps of California for non-California property by non-California-residents. California QI and EAT insurance and bonding requirements will also be reviewed, as well as California decisions regarding attorney's responsibilities in connection with 1031 exchanges.

Moderator: Lou Weller, Weller Partners LLP, San Francisco, CA

Panelists: Adam Handler, PwC, Los Angeles, CA; Ciro Immordino, Attorney, California Franchise Tax Board, Rancho Cordova, CA; Edward I. Kaplan, Greene Radovsky Maloney Share & Hennigh LLP, San Francisco, CA

9:40am A Close Examination of the Intermediary Installment Sale Transactions. Some promoters offer, to taxpayers contemplating a sale of their property to an identified buyer for cash, or a like kind exchange, to instead interpose an entity owned by the promoter. This entity will issue an installment note to the seller, purportedly allowing the seller to defer gain, and resell the property for cash to the buyer. In some situations, the taxpayer's ownership of the promoter's entity's installment note, coupled with a covenant by the promoter's entity to make restricted-risk investments of the cash resale proceeds, helps the taxpayer obtain an unsecured loan from an unrelated bank. The panel will discuss the limitations and risks in this technique.

Moderator: Alan S. Lederman, Gunster, Ft. Lauderdale, FL

Panelist: John B. Lovelace, Attorney, Branch 5, Income Tax & Accounting, IRS Office of Chief Counsel, Washington, DC; Matthew E. Rappaport, New York, NY; Mark E. Wilensky, Meltzer Lippe Goldstein & Breitstone LLP, Mineola, NY



PROGRAM SCHEDULE

SATURDAY, JANUARY 30

10:20am Can the Tenant Provide Tax-Free Financing of the Landlord's Construction Costs?

In the 2015 *Stough* case, the Tax Court found that a one-time payment from the tenant of a build-to-suit building, in exchange for reducing the tenant's future rent payments, was prepaid rental income to the landlord and not a reduction of the landlord's construction cost basis. The panel will discuss possible ways for a landlord to avoid the prepaid rental income result in *Stough* on the tenant's payments used for construction costs, including tenant-and-landlord partnerships, tenant-and-landlord-owned corporations, tenant-owned leasehold improvements, loans by tenants to the landlord, security deposits, and use of section 467.

Moderator: Glenn Johnson, EY, Washington, DC

Panelists: Professor Bradley T. Borden, Brooklyn Law School, Brooklyn, NY; Aaron S. Gaynor, Roberts & Holland, New York, NY; E. John Wagner II, Williams Parker Harrison Dietz & Getzen, Sarasota, FL

11:00am Tax-Deferred Exchanges of Franchisees' and Distributors' Rights. In Ltr. Rul.

201532021, the IRS allowed section 1031(a) non-recognition when the exchange proceeds from the sale of a contractual right to distribute a product were reinvested in the contractual right to distribute another product with a different brand name, appearance, ingredients, packaging, and marketing strategy. The panel will discuss the possible implications of Ltr. Rul. 201532021 for licensed manufacturing, wholesale and retail businesses seeking to redeploy the value of their existing product lines and franchises in different licensed products on an income-tax-deferred basis.

Moderator: Stephen M. Breitstone, Meltzer Lippe Goldstein & Breitstone LLP, Mineola, NY

Panelists: John B. Lovelace, Attorney, Branch 5, Income Tax & Accounting, IRS Office of Chief Counsel, Washington, DC; Rafi W. Mottahedeh, Jenner & Block LLP, Chicago, IL; David Shechtman, Drinker Biddle & Reath LLP, Philadelphia, PA

8:30AM – 10:30AM

Salon D, Platinum Level

State & Local Taxes Practitioner's Roundtable  (Executive Session)

Moderator: Leah Robinson, Sutherland Asbill & Brennan LLP, New York, NY


8:45AM – 11:45AM

Salon 1, Diamond Level

Civil & Criminal Tax Penalties  

Chair: John M. Colvin, Colvin & Hallett, Seattle, WA

8:45am Reports of Subcommittees on Important Developments. Important Developments (Criminal) – Michel R. Stein and Cory Stigile, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA; Important Developments (Civil) – Brian McManus, Latham & Watkins LLP, Washington, DC; IRS Investigations and Practices – Michael A. Villa, Jr., Meadows Collier Reed Cousins Crouch & Ungerman LLP, Dallas, TX; Monetary Violations and Forfeitures – Peter Hardy, Post & Schell PC, Philadelphia, PA; Loren Washburn, Washburn Law Group, Salt Lake City, UT; Sentencing Guidelines – Matt Hicks, Caplin & Drysdale Chartered, Washington, DC; Jeffrey A. Neiman, Marcus Neiman & Rashbaum, Fort Lauderdale, FL; International Tax Enforcement – Scott Harty, Alston & Bird, Atlanta, GA; Voluntary Disclosure and Compliance – David Axelrod, Shumaker Loop & Kendrick L.P., Columbus, OH; Sarah Wirsky, Meadows Collier Reed Cousins Crouch & Ungerman LLP, Dallas, TX

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9:05am To File or Not to File – That Is the Question. ⚖️ Filing an amended return can reduce penalty exposure. It can also lead to a fraud referral. Join our panel as they grapple with the strategic pros and cons and the ethical issues involved in advising clients to file or not to file amended returns in a variety of factual scenarios, including the assertion of the Fifth Amendment on an amended return.

Moderator: Loren Washburn, Washburn Law Group, Salt Lake City, UT

Panelists: Megan Brackney, Kostelanez & Fink LLP, New York, NY; Karen L. Hawkins, Yachats, OR; Edward M. Robbins, Jr., Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA

Co-Sponsored by: Standards of Tax Practice

9:55am Civil and Criminal Employment Tax Enforcement Efforts – Employers Beware. The government has enjoyed a string of victories against taxpayers who do not collect, account for and deposit employment taxes, and lists employment tax enforcement among its top priorities. This panel will address the efforts of the IRS and the Department of Justice with respect to civil and criminal employment tax enforcement. Topics will include the statutory authority and scope of injunctions, monitoring and enforcing those injunctions, recent developments with professional employer organizations (PEOs), common badges of fraud that may result in a criminal investigation, and recent prosecutions. The panelists will discuss common mistakes and misunderstandings among employers, and ways to come into compliance in an effort to avoid a criminal referral.

Moderator: Josh Ungerman, Meadows Collier LLP, Dallas, TX

Panelists: Caroline D. Ciraolo, Acting Assistant Attorney General, Tax Division, Department of Justice, Washington, DC; Leigh Kessler, Rosenberg Martin Greenberg LLP, Baltimore, MD; Dennis Perez, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA; Darren Guillot, Director, Field Collection, IRS, Washington, DC

10:50am Litigating the Accuracy Penalty. In recent years, a substantial portion of litigated tax cases have included an accuracy penalty issue, including many in which the taxpayer has asserted reliance on a professional. In many cases, the government has been successful at challenging a taxpayer's reasonable cause and good faith, even when there is a tax professional in the mix. The IRS and the Department of Justice Tax Division have gotten more sophisticated in challenging what many tax professionals used to believe were iron-clad penalty defenses. Learn how the landscape has changed for penalty litigation.

Moderator: Brian McManus, Latham & Watkins LLP, Washington, DC

Panelists: The Honorable Juan F. Vasquez, Judge, US Tax Court, Washington, DC; Judith Hagley, Appellate Section, Tax Division, Department of Justice, Washington, DC; Tom Cullinan, Sutherland Asbill & Brennan LLP, Atlanta, GA; Emily Kingston, Sideman Bancroft LLP, San Francisco, CA

8:45AM – 11:45AM

Salon 6, Diamond Level

Corporate Tax

Chair: Audrey Nacamuli Charling, General Electric Company, Fairfield, CT

8:45am Current Developments. This panel will explore current developments, including recent changes in the IRS' practice regarding section 355 spin-off private letter rulings.

Moderator: Lisa Zarlenga, Steptoe & Johnson LLP, Washington, DC

Panelists: Krishna Vallabhaneni, Deputy Tax Legislative Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Thomas Wood, Skadden Arps Slate Meagher & Flom LLP, Washington, DC; Philip Wright, Bryan Cave LLP, St. Louis, MO



PROGRAM SCHEDULE

SATURDAY, JANUARY 30

9:45am **“Mere Change”: The New Final Section 368(a)(1)(F) Regulations.** This panel will explore in depth the new final “F” reorganization regulations issued on September 18, 2015. Although these regulations generally adopt the provisions of the 2004 proposed regulations, there are a number of enhancements and clarifications in the final regulations.

Moderator: Kenneth H. Heitner, Weil Gotshal & Manges LLP, New York, NY

Panelists: William Alexander, Skadden Arps Slate Meagher & Flom LLP, Washington, DC; Douglas Bates, Office of Associate Chief Counsel (Corporate), IRS, Washington, DC; Amie Colwell Breslow, General Electric Company, Fairfield, CT

10:45am **“Tightening the Noose”: IRS Proposes Regulations on Outbound Transfers of Foreign Goodwill and Workforce in Place.** In proposed regulations, the IRS tightened the rules under section 367 to tax the gain associated with an outbound transfer of foreign goodwill and workforce in place. The proposed regulations adopt an entirely different approach to taxing outbound asset transfers and, in effect, rewrite current law. The panel will analyze the proposed regulations and discuss their practical effects on tax planning by US multinational corporations.

Moderator: Leonard Schneidman, Andersen Tax, Boston, MA

Panelists: J. Brian Davis, Ivins Phillips & Barker, Washington, DC; Jose Murillo, EY, Washington, DC; Brenda Zent, Special Advisor on International Taxation, International Tax Counsel, Department of Treasury, Washington, DC

10:00AM – 1:00PM

Companion Activity (Ticketed Event)

Private Group Tour of the Getty Museum. Transportation to depart the JW Marriott LA Live at 9:00am.

10:30AM – 11:00AM

Salon D, Platinum Level

State & Local Taxes: Publication Subcommittees

Those persons responsible for *The Tax Lawyer – The State and Local Tax Edition*, *Sales & Use Tax Deskbook*, *Property Tax Deskbook*, and committee webpage and listserv will meet to discuss the status of their work.

Panelists: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA; Jeffrey Reed, Mayer Brown, New York, NY; Matthew Hedstrom, Alston & Bird LLP, New York, NY; Robert L. Mahon, Perkins Coie LLP, Seattle, WA; Scott E. Sebastian, MassMutual, Springfield, MA; Jeffrey J. McNaught, Lindquist & Vennum PLLP, Minneapolis, MN; Timothy R. Van Valen, Brownstein Hyatt Farber Schreck LLP, Albuquerque, NM; Kyle Wingfield, Williams Mullen, Richmond, VA; Kathryn Pittman, McGlinchey Stafford PLLC, Washington, DC

11:00AM – 12:00PM

Salon F, Platinum Level

State & Local Taxes Vice-Chairs' Planning Meeting (Executive Session)

Chair: Jaye Calhoun, McGlinchey Stafford PLLC, New Orleans, LA


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PROGRAM SCHEDULE
SATURDAY, JANUARY 30



12:00PM – 1:30PM

Salon E, Platinum Level

Section Luncheon & Plenary Session  (Ticketed Event)

Chair's Report to the Section

Report of Nominating Committee

Acknowledgement of Section Fellows

2015-2016, 2016-2017 John S. Nolan Tax Fellows

2014-2016, 2015-2017 Christine A. Brunswick Public Service Fellows

Award Presentation

Janet Spragens 2016 Pro Bono Award

Andrew R. Roberson, McDermott Will & Emery LLP, Chicago, IL



Keynote Speaker: Professor Edward Kleinbard, University of Southern California Gould School of Law, Los Angeles, CA

Professor Edward Kleinbard is the Ivadelle and Theodore Johnson Professor of Law and Business at the University of Southern California's Gould School of Law, and a Fellow at The Century Foundation. He is the author of a book, *We Are Better Than This: How Government Should Spend Our Money*, just published by Oxford U. Press. In reviewing the book, Pulitzer prize-winning journalist David Cay Johnston described it as "a masterpiece of tax, fiscal, and economic policy."

Professor Kleinbard joined USC Law in 2009. Before joining USC Law, Professor Kleinbard served as Chief of Staff of the U.S. Congress's Joint Committee on Taxation. The JCT Staff are the nonpartisan tax resource to Congress, helping legislators to formulate legislation, writing analyses of legislative proposals or tax issues of interest to the Congress, and estimating the revenue consequences of legislative proposals.

Professor Kleinbard's work focuses on the taxation of capital income, international tax issues, and the political economy of taxation.

2:00PM – 5:00PM

Salon C, Platinum Level

Current Developments in Individual, Corporate, Partnership and Estate & Gift Taxation 

This session will review the most significant statutory enactments, judicial decisions, IRS rulings, and Treasury regulations promulgated during the last twelve months that affect general income taxation, corporate taxation, partnership taxation, wealth transfer taxation, and tax procedure.

Moderator: Professor Martin J. McMahon, Jr., University of Florida College of Law, Gainesville, FL

Panelists: Professor Bruce A. McGovern, South Texas College of Law, Houston, TX; Professor Elaine Hightower Gagliardi, University of Montana School of Law, Missoula, MT

Sponsored by: Teaching Taxation





PROGRAM SCHEDULE

SATURDAY, JANUARY 30

2:00PM – 5:00PM

Salon A, Platinum Level

Nuts & Bolts of Tax Court Litigation: Pre-Trial, Trial, and Post-Trial   ★

Co-Sponsored by: Court Procedure & Practice Committee; Hispanic National Bar Association Tax Section

US Tax Court Judges, IRS Counsel and practitioners will present a three-part workshop that will focus on all the main aspects of litigating a case in the US Tax Court. This workshop is intended to be an introduction to a Tax Court practice for junior attorneys and a refresher for more seasoned practitioners. The workshop will be divided into three panels: Pre-Trial Practice, Tax Court Trial, and Post-Trial Practice.

2:00pm Pre-Trial Practice. The panel will address the main aspects of the Tax Court litigation leading up to the trial, such as Tax Court jurisdiction, drafting petition and answer, discovery, and pre-trial briefing and motion practice.

Moderator: Zhanna A. Ziering, Caplin & Drysdale Chartered, New York, NY

Panelists: The Honorable James S. Halpern, Senior Judge, US Tax Court, Washington, DC; The Honorable Peter J. Panuthos, Chief Special Trial Judge, US Tax Court, Washington, DC; Sherri Wilder, Area Counsel, SBSE Division Counsel, IRS, Los Angeles, CA; Mitchell Horowitz, Buchanan Ingersoll & Rooney PC, Tampa, FL; Dennis L. Perez, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA

3:00pm Trial. This panel will discuss the trial and other related issues, such as drafting stipulation of facts, witness preparation and testimony, and rules of evidence.

Moderator: Guinevere “Gwen” Moore, Holland & Knight LLP, Chicago, IL

Panelists: The Honorable James S. Halpern, Senior Judge, US Tax Court, Washington DC; The Honorable Cary D. Pugh, Judge, US Tax Court, Washington, DC; Heather L. Lampert, Special Trial Attorney, LBI Division Counsel, IRS, Dallas, TX; Derek W. Kaczmarek, Frazer Ryan Goldberg & Arnold LLP, Phoenix, AZ; Juan Vasquez, Jr., Chamberlain Hrdlicka White Williams & Aughtry, Houston, TX

4:00pm Post-Trial Practice. The panel will discuss the post-trial phase of the Tax Court litigation, such as post-trial motion practice and briefs, Tax Court decisions and opinions and appealing the decision of the Tax Court.

Moderator: Jaime Vasquez, Chamberlain Hrdlicka White Williams & Aughtry, San Antonio, TX

Panelists: The Honorable Michael B. Thornton, Chief Judge, US Tax Court, Washington, DC; The Honorable Maurice B. Foley, Judge, US Tax Court, Washington, DC; Patricia P. Davis, Attorney, TEGE Division Counsel, IRS, Chicago, IL; Mark D. Allison, Caplin & Drysdale Chartered, New York, NY; Richard J. Sapinski, Sills Cummis & Gross PC, Newark, NJ

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AFFILIATED ORGANIZATIONS



AMERICAN COLLEGE OF TAX COUNSEL

FRIDAY, JANUARY 29

7:30AM – 9:00AM

Olympic 2, 3rd Floor, Hotel Tower

ACTC Board of Regents Meeting (*Executive Session*)

SATURDAY, JANUARY 30

5:00PM – 5:30PM

Salon I, Platinum Level

ACTC Annual Business Meeting (*ACTC Members Only*)

5:30PM – 6:30PM

Salon I, Platinum Level

ACTC 2016 Griswold Lecture (*Open Session*)

7:00PM – 10:00PM

ACTC Reception and Dinner (*ACTC Members and Guests*)

SUNDAY, JANUARY 31

7:30AM – 9:00AM

Georgia 1, 3rd Floor, Hotel Tower

ACTC Fellows Breakfast and Roundtable Discussion (*ACTC Members Only*)



GENERAL INFORMATION

MEETING MATERIALS

In the interest of providing the most up-to-date meeting materials for all attendees, materials for the **2016 Midyear Meeting** will be available online at www.ambar.org/taxmtgmaterials and via the mobile meeting application (please see page X for more information). Complimentary WiFi will be provided throughout the meeting space.



Should you wish to print out any materials, convenient print stations are located in Platinum Foyer, Platinum Level.

Please note that materials will be updated on the website throughout the meeting. These materials, to the extent they are provided to the Section, will also be made available to Tax Section members following the meeting as an exclusive membership benefit at www.ambar.org/taxiq.

CLE AND ETHICS CREDIT

You **must be registered for the meeting** in order to attend and be eligible to receive CLE or ethics credit.

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/groups/taxation/events_cle/fall_cle.html or contact Tim Brady (tim.brady@americanbar.org).

Please note the  symbol indicates that Ethics credit will be requested for this program, and the  symbol indicates that CLE credit is not available for this program.

REQUIREMENTS FOR NEW YORK ATTORNEYS: New York-licensed attorneys are responsible for signing in and out of each session they attend. The New York sign-in/out sheets are available in each meeting room. A customized New York CLE certificate will be issued to New York-licensed attorneys following the meeting by email, based on information recorded on the sign-in sheets.

REQUIREMENTS FOR ILLINOIS ATTORNEYS: Illinois-licensed attorneys are responsible for signing in for each session they attend. The Illinois sign-in sheets are available in each meeting room. A customized Illinois Certificate of Attendance will be issued to Illinois-licensed attorneys following the meeting by email, based on information recorded on the sign-in sheets.

CPE INFORMATION

The American Bar Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

GENERAL INFORMATION



CLE INFORMATION BOOTH

The CLE Information Booth, located in Platinum Foyer, Platinum Level, will be open during the following hours:

Thursday	12:00pm – 7:30pm
Friday	8:00am – 6:30pm
Saturday	8:00am – 4:30pm

Please direct all questions regarding CLE credit to the CLE Information Booth, not the Registration Desk.

REGISTRATION

Registration will be available in Platinum Foyer, Platinum Level. All individuals attending any part of the **2016 Midyear Meeting**, including speakers, must register and pay the registration fee. Shared registrations are not permitted. Companions are defined as non-Section members not attending substantive meetings. Any companion attending substantive programs must register and pay either the Section member or non-Section member registration fee, whichever is applicable.

The registration fee includes exclusive access to the meeting materials website, mobile meeting application and permits registrants to attend all meetings, sessions and programs; however, it does not include meal functions and social events listed as “Ticketed Event.” All ticketed events are sold on a first-come, first-served basis.

REFUND POLICY

The deadline for refunds was **January 21, 2016**. **Refunds will not be granted at or after the meeting.**

AUDIO CDS AND MP3 INSTANT DOWNLOADS

Audio CDs and MP3s of Committee Meetings and Section Programs are available for purchase on site.

To place an order, visit the Digital Conference Providers (DCP) booth located in Platinum Foyer, Platinum Level. After the meeting visit: www.dcporder.com/abatx/ for mail order audio CDs or www.dcpvidersonline.com/abatx/ for instant downloads.

20% MEETING DISCOUNT ON SECTION PUBLICATIONS

Stop by the Publications Display, located in Platinum Foyer, Platinum Level to preview the most popular titles from the Section of Taxation and receive a 20% discount on all publication orders. Use this meeting discount code: PTX16SMID online or call the ABA Service Center at (800) 285-2221 to take advantage of this special discount. **Please note that the offer expires February 5th, 2016.**



GENERAL INFORMATION

ABA OPEN MEETINGS POLICY

In accordance with the ABA Open Meetings Policy, all ABA programs are open to the media unless they are to conduct business sessions of a confidential nature. The Association encourages media coverage of its activities. If you have questions about this policy, please contact the Sections' main office at (202)-662-8670.

Please note: By attending the conference, attendees have agreed to the terms of the American Bar Association Image/Audio/Video Release Form, which allows images, audio and video recorded on site to be used for educational and promotional purposes.

SCHOLARSHIP INFORMATION

Scholarships to defray tuition expense for this program are available upon application on a case-by-case basis. To request a scholarship application for a future Section meeting, please contact Thomas Blandi (thomas.blandi@americanbar.org).

ACTIVITIES



FRIDAY, JANUARY 29

9:15AM – 2:30PM

VIP Tour at a Hollywood Movie Studio

Ticketed Event: \$190

*Transportation to depart the JW Marriott LA Live at 9:15am

An exclusive VIP Tour of Sony Pictures Studios designed for the movie buff! This 2-hour guided walking tour will give visitors a behind-the-scenes look at a real working studio, where movie magic has been made for almost a century. You never know what or who you're going to see when you step onto the lot. You might even get a sneak peek of the historic sound stages where Dorothy followed the Yellow Brick Road and where Spider-Man battled bad guys.

Following the tour, guests will enjoy a gourmet lunch.

After the VIP Studio Tour, guests will be able to tell everyone that they truly experienced all the wonder and glamour Hollywood has to offer.

Tour Inclusions:

- Roundtrip transportation will be provided.
- Luncheon will take place at the conclusion of the tour.
- Departure location: Group will depart from the Gold Ballroom street entrance.
- Comfortable walking shoes, sunglasses, sunscreen, hat and camera recommended.
- Activity Level: All-walking tour.
- If you require wheelchair assistance, please notify ABA Tax Section staff.

Studio Information:

- All guests must bring their ID to enter the studio lot.
- Smoking, cell phone usage, video and audio recording are not allowed on the tour.
- Backpacks are not allowed on the tour.



ACTIVITIES

SATURDAY, JANUARY 30

10:00AM – 1:00PM

Private Group Tour of the Getty Museum

Ticketed Event: \$110

*Transportation to depart the JW Marriott LA Live at 9:00am

The Pritzker Prize and American Institute of Architects Gold Medal winning architect Richard Meier, is well known for his abstract and often white buildings. Richard's design of the Getty Museum at Getty Center offers access to magnificent views of Los Angeles and an unforgettable experience of late-twentieth century architecture. The Museum features pre-20th-century European paintings, drawings, illuminated manuscripts, sculpture, and American, Asian, and European photographs. In addition, the Museum's Central Garden and terraces showcase outdoor sculptures and tree-lined walkways.

This unique experience will begin with a tram ride that will take guests to the top of the hill where the Getty Museum sits. From there the art historian will lead guests on a private tour of the incredible Getty Center. Learn about the Getty programs, history and the architect Mr. J. Paul Getty. Explore his collection of art and the highlights of the museum collection such as the 17th century tapestries made for King Louis XIV, and the art of food exhibition that will feature rare books and prints, including early cookbooks and serving manuals that illustrate the methods and materials for making edible monuments. At the conclusion of the guided tour, guests will have an opportunity to explore the museum and gardens at their leisure.

Additional Tour Information:

- Departure location: Group will depart from the Gold Ballroom street entrance.
- Roundtrip transportation will be provided.
- Recommended Attire: Comfortable Walking Shoes, Sunglasses, Sunscreen, Hat and Camera!
- Wheelchair Assistance can be offered.



A

ACTC

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- Annual Business Meeting (*ACTC Members Only*) 64
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- Fellows Breakfast and Roundtable Discussion (*ACTC Members Only*) 64
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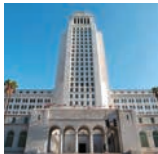
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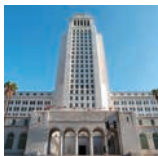
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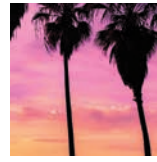
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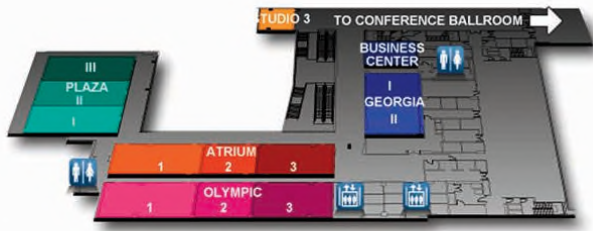
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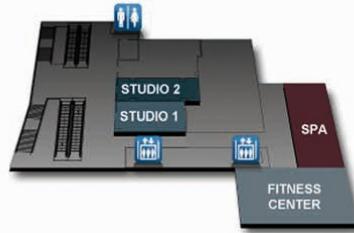
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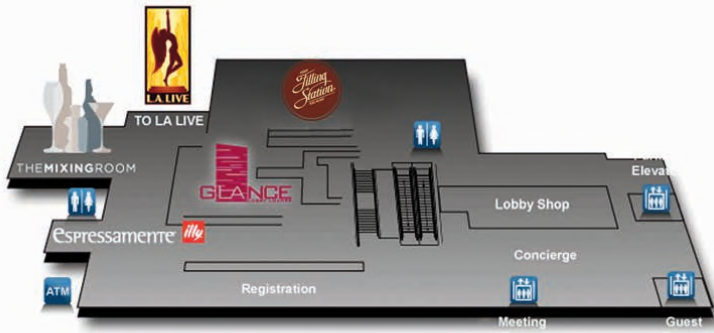
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