SECTION OF TAXATION

2019 MIDYEAR TAX MEETING

JANUARY 17-19, 2019
HYATT REGENCY NEW ORLEANS • NEW ORLEANS, LA
The Section of Taxation would like to acknowledge our sponsors and exhibitors for their support of the 2019 Midyear Tax Meeting

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Jere McGaffey
James Merritt

Pamela F. Olson
Eric Solomon
Gary B. Wilcox
### Section of Taxation CLE Calendar

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<td>January 30, 2019</td>
<td>Post-Tax Reform Planning for Cross-Border Investments by Private Funds</td>
<td>Tax Section</td>
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<td>CLE Webinar</td>
<td><a href="http://www.americanbar.org/tax">www.americanbar.org/tax</a></td>
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<td>202.662.8670</td>
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<tr>
<td>March 11-15, 2019</td>
<td>2019 ABA/IPT Advanced Tax Seminars</td>
<td>Tax Section</td>
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<td></td>
<td>New Orleans, LA</td>
<td><a href="http://www.americanbar.org/tax">www.americanbar.org/tax</a></td>
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<tr>
<td>April 3-5, 2019</td>
<td>19th Annual U.S. and Europe Tax Practice Trends Conference</td>
<td>Tax Section</td>
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<td>Paris, France</td>
<td><a href="http://www.americanbar.org/tax">www.americanbar.org/tax</a></td>
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<tr>
<td>June 12-14, 2019</td>
<td>12th Annual U.S. and Latin America Tax Practice Trends Conference</td>
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<td>Miami, FL</td>
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### Section of Taxation Meeting Calendar

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<td>May 9-11, 2019</td>
<td>MAY TAX MEETING</td>
<td>Grand Hyatt – Washington, DC</td>
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<td>October 3-5, 2019</td>
<td>FALL TAX MEETING</td>
<td>Hyatt Regency – San Francisco, CA</td>
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<td>January 30-February 1, 2020</td>
<td>MIDYEAR TAX MEETING</td>
<td>Boca Raton Resort – Boca Raton, FL</td>
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<td>April 30-May 2, 2020</td>
<td>MAY TAX MEETING</td>
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<td>September 24-26, 2020</td>
<td>FALL TAX MEETING</td>
<td>NY Marriott Marquis – New York, NY</td>
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The Section of Taxation welcomes you to the 2019 Midyear Tax Meeting in New Orleans, LA. 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 development in tax law.

Please note the following meeting highlights:

  12:00PM – 1:30PM in Empire B, Level 2
- **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](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 to stay connected during the meeting.

**WIRELESS INTERNET** is available for attendees throughout the meeting space.

Network Name: ABA Tax Meeting
Password: midyear19

We hope you enjoy the meeting and we welcome your comments.
SECTION LUNCHEON & PLENARY SESSION (Ticketed Event)
The Section is pleased to announce that Richard Rubin, US tax policy reporter for The Wall Street Journal, will address attendees of the 2019 Midyear Tax Meeting at the Section Luncheon on Saturday, January 19, from 12:00pm-1:30pm at Empire B, Level 2. Attendees must purchase a ticket to attend the luncheon.

TAX BRIDGE ON THE ROAD
Organized by the Tax Section's Young Lawyers Forum and Diversity Committees, this program is designed to provide an introduction to tax practice. If you are a law student, young lawyer, new bar admittee or practitioner transitioning to tax, then this program is for you. More information is available on page 18.

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 Empire Foyer, Level 2. The following organizations will have exhibit booths:

Bloomberg Tax
Boston University School of Law - Graduate Tax Program
Law 360
Northwestern University Pritzker School of Law
Tax Analysts
UC Irvine School of Law, Graduate Tax Program
University of Florida Fredric G. Levin College of Law

REGISTRATION
Registration will be available in Empire Foyer, Level 2. All individuals attending any part of the 2019 Midyear Tax 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.

ON-SITE REGISTRATION AND TICKET PURCHASE HOURS
The Registration Desk, located in Empire Foyer, Level 2, 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  Member
GRAY Bar  Law Students and LLM Candidates
BLUE Text  Companions
PURPLE Bar  First-time Attendees
YELLOW Badge  Press
ORANGE Bar  Young Lawyers
LAVENDER Bar  Exhibitor
BLUE Ribbon  Staff

HOSPITALITY CENTER
Complimentary continental breakfast and afternoon snacks will be available to all attendees and companions with a name badge.

Location:  Empire Foyer, Level 2 & Celestin Foyer, Level 3

Time:  Friday: AM Break 7:00am - 11:00am / PM Break 1:30pm - 4:00pm
       Saturday (Empire Foyer Only): AM Break 7:00am – 11:00am / PM Break 1:30pm – 4:00pm
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. 18)

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. 62)

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
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<td>Tax Bridge on the Road ★ ★</td>
<td>Empire B, Level 2</td>
<td>12:00PM – 5:00PM 12:00p – Tax Law: A Great Career Choice 12:45p – The Essentials of Opportunity Zones Funds 1:45p – Retirement Plan Considerations in Mergers and Acquisitions 2:45p – Break 3:00p – Bankruptcy and Tax: Introduction to the Bankruptcy Court and Using Bankruptcy to Discharge Tax Debt 4:00p – 360 Degree Perspective: US Withholding and Global Information Reporting</td>
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<td><strong>THURSDAY 5:00PM</strong></td>
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<td>Committee Leadership Resource Sharing (Invitation Only)</td>
<td>Bolden 1, Level 2</td>
<td>5:00PM – 6:00PM</td>
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<td>First Time Attendee, Young Lawyer &amp; Law Student Networking Reception (Complimentary)</td>
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<td>Welcome Reception (Complimentary)</td>
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<td>Careers in Tax Dinner</td>
<td>Strand 11AB, Level 2</td>
<td>6:30PM – 8:00PM Sponsored by: UC Irvine School of Law, Graduate Tax Program</td>
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<td><strong>THURSDAY 7:00PM</strong></td>
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<td>Partnerships &amp; LLCs and Real Estate Committees Dinner (Reservation; Advanced Payment Required)</td>
<td>Borgne, 601 Loyola Avenue</td>
<td>7:00PM – 9:30PM</td>
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<tr>
<td>Administrative Practice Dinner (Prepayment and Advance Registration Required)</td>
<td>The Pelican Club, 312 Exchange Place</td>
<td>7:30PM – 9:30PM</td>
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<td><strong>FRIDAY 7:30AM</strong></td>
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<tr>
<td>ACTC Board of Regents Meeting (Executive Session)</td>
<td>Foster 2, Level 2</td>
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<td>Exempt Organizations Subcommittee on Health-Care Organizations</td>
<td>Strand 3, Level 2</td>
<td>7:30AM – 8:30AM Roundtable Discussion of Current Developments</td>
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<td>Strand 1, Level 2</td>
<td>7:30AM – 8:30AM Roundtable Discussion of Current Developments</td>
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<td>Strand 2, Level 2</td>
<td>7:30AM – 8:30AM Roundtable Discussion of Current Developments</td>
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<td>Capital Recovery &amp; Leasing</td>
<td>Celestin GH, Level 3</td>
<td>8:00AM – 10:00AM 8:00a – Current Developments and Update on Pending Guidance 8:30a – Section 163(j) and Its Impact on Cost Recovery 9:15a – A Discussion on Environmental Preservation Credits</td>
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<td>Employee Benefits Subcommittee on Defined Contribution Plans</td>
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<td>11:00AM – 12:00PM Employee Benefits Fiduciary Responsibility &amp; Plan Investments Update</td>
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<td>Appointments to the Tax Court (Executive Session)</td>
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<td>Celestin C, Level 3</td>
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<td>Corporate Tax and Affiliated &amp; Related Corporations Luncheon (Ticketed Event)</td>
<td>Celestin GH, Level 3</td>
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<td>12:00PM – 1:00PM Employee Benefits ESOP Update</td>
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<tr>
<td>Employee Benefits Subcommittee on Mergers &amp; Acquisitions</td>
<td>Bolden 1, Level 2</td>
<td>12:00PM – 1:15PM Employee Benefits Mergers &amp; Acquisitions Update</td>
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<td><strong>FRIDAY 12:00PM</strong></td>
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<tr>
<td>Nominating Committee (Executive Session)</td>
<td>Foster 2, Level 2</td>
<td>12:00PM – 2:30PM</td>
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<tr>
<td>State &amp; Local Taxes Luncheon (Ticketed Event)</td>
<td>Celestin F, Level 3</td>
<td>12:00PM – 12:30PM</td>
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<td>Employee Benefits Corporate Counsel Forum</td>
<td>Bolden 2, Level 2</td>
<td>12:15PM – 1:15PM Employee Benefits Corporate Counsel Forum</td>
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<td>Administrative Practice and Court Procedure &amp; Practice Luncheon (Ticketed Event)</td>
<td>Celestin D, Level 3</td>
<td>12:30PM – 1:30PM Speaker: William J. Wilkins, PwC, Washington, DC</td>
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<td>Civil &amp; Criminal Tax Penalties Luncheon (Ticketed Event)</td>
<td>Celestin E, Level 3</td>
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<tr>
<td>Diversity (Open to the Public)</td>
<td>Strand 11A, Level 2</td>
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<td>Estate &amp; Gift Taxes and Fiduciary Income Tax Luncheon (Ticketed Event)</td>
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<tr>
<td>Real Estate and Partnerships &amp; LLCs Luncheon (Ticketed Event)</td>
<td>Empire A, Level 2</td>
<td>12:30PM – 1:30PM Speaker: Martin A. Sullivan, Chief Economist and Contributing Editor, Tax Analysts, Washington, DC</td>
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<td>State &amp; Local Taxes</td>
<td>Celestin F, Level 3</td>
<td>12:30PM – 1:30PM The (Funny) Business of Putting on a Mardi Gras Parade</td>
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<td>Bolden 3+4, Level 2</td>
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<tr>
<td><strong>FRIDAY 1:00PM</strong></td>
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| Estate & Gift Taxes and Fiduciary Income Tax ‡        | Strand 11B, Level 2 | 1:00PM – 2:00PM  
1:00p – GRATs and the Mathematics of Failure                                                                                                                                                 | 39   |
| Foreign Activities of US Taxpayers, Transfer Pricing, and US Activities of Foreigners and Tax Treaties ‡ | Empire C, Level 2  | 1:00PM – 2:30PM  
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| Employment Taxes ‡                                     | Bolden 5, Level 2  | 1:30PM – 4:45PM  
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3:45p – Update on the Tax Consequences of Employment Settlements and Judgements                                                                                                  | 39   |
| Standards of Tax Practice ‡                          | Celestin A, Level 3 | 1:30PM – 4:00PM  
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2:00p – The All New Two-Minute Drills ❌  
3:00p – I’m a US Lawyer, What’s the EU Got To Do With Me? – Navigating Ethics in Global Practice ❌                                                                                          | 40   |
| **FRIDAY 2:00PM**                                     |                   |                                                                                                                                                                                                                  |      |
| Employee Benefits ‡                                    | Empire D, Level 2  | 2:00PM – 6:15PM  
2:00p – Student Loan Repayment Benefits: Options and Issues for Retirement Plans  
3:00p – Break ❌  
3:15p – The Wellness Program Wild, Wild West  
4:15p – Department of the Treasury, IRS, Department of Labor, Employee Benefits Security Administration and PBGC Hot Topics  
5:15p – Treasury / IRS Fireside Chat ❌  
6:15p – Cash Bar ❌                                                                                                                                                             | 41   |
| Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee ❌ | Strand 7, Level 2  | 2:00PM – 3:00PM  
2:00p – Defending Tax Reduction Strategies in the Court of Public Opinion ❌                                                                                                                                 | 42   |
| State & Local Taxes ‡                                  | Celestin C, Level 3 | 2:00PM – 5:15PM  
2:00p – Murphy v. NCAA: Implications for State and Local Taxation  
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| **FRIDAY 2:30PM**                                     |                   |                                                                                                                                                                                                                  |      |
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4:15p – Buy-Sell Agreements for Closely Held Businesses                                                                                                                                                                                                   | 43   |
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<td>Court Procedure &amp; Practice 🗓️</td>
<td>Celestin E, Level 3</td>
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<td>Foreign Lawyers Forum 🗓️</td>
<td>Empire B, Level 2</td>
<td>2:30PM – 4:30PM 2:30p – Holding Companies – What to Do After BEPS and US Tax Reform? 📝</td>
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<td>Celestin GH, Level 3</td>
<td>2:30PM – 5:45PM 2:30p – Current Developments 3:15p – Inventory – Hot Topics 4:00p – Break 📝 4:15p – Accounting Methods – Hot Topics 5:00p – Section 451 and Revenue Recognition</td>
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<td><strong>FRIDAY 2:30PM (Continued)</strong></td>
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<td>Tax Exempt Financing</td>
<td>Bolden 2,</td>
<td>2:30PM – 5:45PM 2:30p – Legislative, Treasury and Internal Revenue Service Update</td>
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<td>3:30p – Break ☄ 3:45p – A Deep Dive into Tax Increment Financing</td>
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<td><strong>FRIDAY 3:00PM</strong></td>
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<td>Diversity</td>
<td>Foster 1,</td>
<td>3:00PM – 5:00PM 3:00p – Investing in Positive Social Impact</td>
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<td>4:00p – Avoiding Tax Litigation Through Financial Analysis: Tips for Advocating</td>
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<td>for Your Client’s Ability To Pay</td>
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<td>Teaching Taxation</td>
<td>Strand 1,</td>
<td>3:00PM – 4:30PM 3:00p – Tax Advice in the Age of the 24-Hour News Cycle</td>
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<tr>
<td>Young Lawyers Forum</td>
<td>Strand 7,</td>
<td>4:00PM – 5:30PM 4:00p – IDRs vs. FDRs – IRS Tools to Discover Taxpayer</td>
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<td><strong>FRIDAY 5:30PM</strong></td>
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<tr>
<td>Foreign Activities of US Taxpayers</td>
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<td>Foreign Lawyers Forum Business</td>
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<td>Transfer Pricing Business Meeting</td>
<td>Strand 8,</td>
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<td><strong>FRIDAY 5:45PM</strong></td>
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<td>US Activities of Foreigners &amp; Tax</td>
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<td>Section Reception <em>(Ticketed Event)</em></td>
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<td><strong>FRIDAY 8:00PM</strong></td>
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<tr>
<td>Joint International Committees</td>
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<td>8:00PM – 10:00PM</td>
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<td>Dinner <em>(Reservation Required)</em></td>
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<td><strong>SATURDAY 7:15AM</strong></td>
<td>Empire B, Level 2</td>
<td><strong>Partnerships &amp; LLCs/Real Estate/ S Corporations “Shop Talking Breakfast” (Ticketed Event)</strong></td>
<td>7:15AM – 8:30AM</td>
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<td><strong>SATURDAY 7:30AM</strong></td>
<td>Strand 13AB, Level 2</td>
<td><strong>ACTC Fellows Breakfast &amp; Roundtable Discussion (ACTC Fellows Only)</strong></td>
<td>7:30AM – 8:30AM</td>
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<td><strong>Tax Practice Management and Young Lawyers Forum</strong></td>
<td>7:30AM – 8:30AM 7:30a – Advice for the 21st Century Tax Lawyer</td>
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<td><strong>SATURDAY 7:45AM</strong></td>
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<td>7:45AM – 8:45AM</td>
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<td><strong>SATURDAY 8:15AM</strong></td>
<td>Strand 12AB, Level 2</td>
<td><strong>Pro Bono &amp; Tax Clinics</strong></td>
<td>8:15AM – 11:45AM 8:15a – Current Developments 8:30a – Disability Severance Pay Refund Claims by Veterans 9:30a – Administrative Burden and Taxpayer Compliance: How to Improve the Taxpayer Experience</td>
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<td><strong>SATURDAY 8:30AM</strong></td>
<td>Empire A, Level 2</td>
<td><strong>Corporate Tax</strong></td>
<td>8:30AM – 11:45AM 8:30a – The Ghost of Kimbell-Diamond: Application of the Step Transaction Doctrine to Multi-Step Corporate Transactions</td>
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<td>Empire C, Level 2</td>
<td><strong>Employee Benefits</strong></td>
<td>8:30AM – 11:45AM 8:30a – Lessons for 401(k) Plans from the University 403(b) Cases 9:30a – Break 9:45a – Round the World in 60 Minutes: Current Issues and Updates for Global Equity Programs</td>
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<td>Bolden 6, Level 2</td>
<td><strong>Fiduciary Income Tax</strong></td>
<td>8:30AM – 11:45AM 8:30a – Current Developments 9:00a – Trust Planning Opportunities under Section 1202</td>
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## SCHEDULE AT-A-GLANCE

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<td>LLCs and LLPs Subcommittee of Partnerships &amp; LLCs</td>
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<td>8:30AM – 10:30AM 8:30a – Partnership Issues Associated With Opportunity Zone Investing</td>
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<td>Sales, Exchanges &amp; Basis</td>
<td>Bolden 5, Level 2</td>
<td>8:30AM – 11:45AM 8:30a – Current Developments Relating to Sales, Exchanges &amp; Basis 9:10a – Where are the Opportunities in Qualified Opportunity Funds? 10:00a – Break 10:15a – US Shareholder Basis in Foreign Corporations Post-Tax Reform</td>
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<td>Civil &amp; Criminal Tax Penalties</td>
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<td>8:45AM – 12:00PM 8:45a – Reports of Subcommittees on Important Developments 9:45a – Break 10:00a – Obtaining a Declination of a Criminal Tax Case 11:00a – Fixing Employment Tax Errors: Best Practices for Amending Employment Tax Returns, Avoiding Penalties and Communicating With Affected Employees</td>
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<td><strong>SATURDAY 10:30AM</strong></td>
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<td>State &amp; Local Taxes: Publication Subcommittees</td>
<td>Strand 10AB, Level 2</td>
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<td>Section Luncheon &amp; Plenary Session (Ticketed Event)</td>
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<td>Section Program Presented by Teaching Taxation</td>
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<td>2:00PM – 5:15PM Current Developments in Individual, Corporate, Partnership and Estate &amp; Gift Taxations</td>
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12:00PM – 5:00PM
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

12:00pm **Tax Law: A Great Career Choice.** A panel of attorneys with years of experience in private practice, government, clinics, and academia discuss their insights into the practice of tax law.
   **Moderator:** Abbey B. Garber, Thompson & Knight, Dallas, TX
   **Panelists:** Tyler Murray, Exxon Mobil Corporation, Houston, TX; Lany L. Villalobos, Dechert LLP, Philadelphia, PA; Morgan L. Klinzing, Pepper Hamilton LLP, Philadelphia, PA

12:45pm **The Essentials of Opportunity Zones Funds.** The panelists will discuss this new intriguing tax vehicle that has everyone talking. The panel will focus on the background of Qualified Opportunity Zones and Qualified Opportunity Zone Funds, the tax benefits from investing in Qualified Opportunity Zone Funds and the ins and outs of Qualified Opportunity Zone Businesses.
   **Panelists:** Kelley C. Miller, Reed Smith LLP, Washington, DC; Richard C. LaFalce, Morgan Lewis & Bockius LLP, Washington, DC
   **Co-sponsored by:** Investment Management

1:45pm **Retirement Plan and Executive Compensation Considerations in Mergers and Acquisitions.** The past few years have witnessed numerous changes to the retirement plan and executive compensation landscape, while at the same time, mergers and acquisitions have increased at a record pace. This panel will explore the intersection of these two changes, and discuss the tax and other considerations relating to retirement plans and executive compensation in the mergers and acquisitions context. This panel will also provide insight on how to assess the audit and litigation risk of plans in the mergers and acquisitions context and the potential to minimize such risks going forward.
   **Moderator:** Ryan R. Montgomery, Morgan Lewis & Bockius LLP, Boston, MA
   **Panelists:** Yongo Ding, Miller & Chevalier, Washington, DC; Laura Westfall, King & Spalding, New York, NY

2:45pm Break.

3:00pm **Bankruptcy and Tax: Introduction to the Bankruptcy Court and Using Bankruptcy to Discharge Tax Debt.** Bankruptcy is an important tool practitioners can use to resolve liabilities with federal and state tax authorities. A distinguished group of panelists will provide an introduction to the bankruptcy-court system and discuss (i) the role of the federal tax lien and the treatment of secured claims in bankruptcy, (ii)
the priority and dischargeability of unsecured claims in bankruptcy, and (iii) tax-claim litigation in bankruptcy, whether through a contested matter or an adversary proceeding.

**Moderator:** Professor T. Keith Fogg, Director of the Federal Tax Clinic, Harvard Law School, Jamaica Plain, MA

**Panelists:** The Honorable Erithe A. Smith, Judge, US Bankruptcy Court for the Central District of California, Santa Ana, CA; The Honorable Mark S. Wallace, Judge, US Bankruptcy Court for the Central District of California, Santa Ana, CA; Kenneth C. Weil, Law Office of Kenneth C. Weil, Seattle, WA

**Co-Sponsored by:** Tax Collection, Bankruptcy & Workouts and Pro Bono & Tax Clinics

**4:00pm**

**360 Degree Perspective: US Withholding and Global Information Reporting.**

With the implementation of the Common Reporting Standard (CRS) and the Foreign Account Tax Compliance Act (FATCA), information reporting is a global operation. This panel will outline the various classifications of US individuals and entities with operations and accounts abroad under FATCA, as well as variations imposed by CRS on both US and multi-nationals. Attorneys from private practice, the US Government, and the OECD will discuss their respective experiences working within this field and provide real-world examples of the US withholding regime (chapters 3 and 4) as it applies in light of FATCA and CRS classifications.

**Moderator:** Josiah Child, Caplin & Drysdale Chtd., New York, NY


**Co-sponsored by:** Foreign Activities of US Taxpayers

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**5:00PM – 6:00PM**

**Committee Leadership Resource Sharing** (**Invitation Only**)  
**Bolden 1, Level 2**

**5:00PM – 6:00PM**

**First Time Attendee, Young Lawyer & Law Student Networking Reception** (**Complimentary**)  
**Empire D, Level 2**

**6:00PM – 7:00PM**

**Welcome Reception** (**Complimentary**)  
**Empire A, Level 2**

**6:30PM – 8:00PM**

**Careers in Tax Dinner**  
**Strand 11AB, Level 2**

**Sponsored by:** UC Irvine School of Law, Graduate Tax Program

**7:00PM – 9:30PM**

**Partnerships & LLCs and Real Estate Committees Dinner** (**Reservation Required**)  
**Borgne, 601 Loyola Avenue**

The Real Estate and Partnerships & LLCs Committees will meet for cocktails and dinner at Borgne, Hyatt Regency New Orleans, 601 Loyola Avenue, New Orleans, LA 70113. Cocktails (cash bar) will begin at 7:00pm, 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.

**7:30PM – 9:30PM**

**Administrative Practice Dinner** (**Prepayment and Advance Registration Required**)  
**The Pelican Club, 312 Exchange Place**
7:30AM – 9:00AM  
ACTC Board of Regents Meeting *(Executive Session)*  

7:30AM – 8:30AM  
Exempt Organizations Subcommittee on Health-Care Organizations  
*Chairs: T.J. Sullivan, Drinker Biddle & Reath LLP, Washington, DC; Robert W. Friz, PwC, Philadelphia, PA*

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

7:30AM – 8:30AM  
Exempt Organizations Subcommittee on Political & Lobbying Organizations  
*Chairs: Elizabeth J. Kingsley, Harmon Curran Spielberg + Eisenberg LLP, Washington, DC; Richard F. Riley, Foley & Lardner LLP, Washington, DC*

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

7:30AM – 8:30AM  
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; Alexander L. Reid, Morgan Lewis & Bockius LLP, Washington, DC; 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**

8:00AM – 10:00AM  
Capital Recovery & Leasing  
*Chair: Sam Weiler, EY, Columbus, OH*

  8:00am  **Current Developments and Update on Pending Guidance.** This panel will cover the important recent developments in the areas of capital recovery and leasing.  
  *Moderator: Rayth Myers, EY, Washington, DC*  
  *Panelists: Selvan Boominathan, CohnReznick, Washington, DC*

  8:30am  **Section 163(j) and Its Impact on Cost Recovery.** This panel will discuss recently released guidance under section 163(j), including specific issues addressed in such guidance impacting the capital recovery space.  
  *Moderator: Andrea Mougw, Eide Bailly, Minneapolis, MN*  
  *Panelist: Jane Rohrs, Deloitte, Washington, DC*

  9:15am  **A Discussion on Environmental Preservation Credits.** This panel will discuss the federal tax implications of various types of programs where the government provides certain incentives for private industry to preserve the environment. Two examples include mitigation banking and carbon sequestration. This panel will discuss issues
involving when taxpayers have an income recognition event, what costs (if any) may be capitalized, are there recovery mechanisms outside of a sale or exchange, and other issues that may arise with respect to these programs.

**Moderator:** Christian Wood, RSM, Washington, DC  
**Panelists:** Kate Abdoo, PwC, Stamford, CT

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**PROGRAM SCHEDULE**

**FRIDAY, JANUARY 18**

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**8:00AM – 9:30AM**

**Employee Benefits Defined Contribution Plans Update**  
Presented by the Subcommittee on Defined Contribution Plans  
**Chairs:** Matthew Eickman, Qualified Plan Advisors, Omaha, NE; Puneet K. Arora, Willis Towers Watson, Chicago, IL  
**Vice-Chairs:** Hallie Goodman, Dorsey & Whitney LLP, Minneapolis, MN; Mindi Johnson, Foster Swift Collins & Smith PC, Grand Rapids, MI; Julia Kovacs, DLA Piper LLP, Washington, DC  
This meeting will examine recent and pending regulatory and enforcement activity related to section 401(k) plans and other defined contribution plans. It will also involve discussion regarding recent litigation relating to and impacting defined contribution plans. Finally, the meeting will involve a discussion of emerging issues.  
**Panelists:** Puneet K. Arora, Willis Towers Watson, Chicago, IL; Hallie Goodman, Dorsey & Whitney LLP, Minneapolis, MN; Stephanie Cibinic, Deputy Assistant General Counsel for Regulatory Affairs, PBGC, Washington, DC

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**8:00AM – 9:30AM**

**Employee Benefits Executive Compensation, Fringe Benefits and Federal Securities Law Update**  
Presented by the Subcommittees on Employee Benefits Executive Compensation, Fringe Benefits and Federal Securities Law  
**Chairs:** Curtis Fisher, Bass Berry & Sims PLC, Nashville, TN; Ali Fawaz, Celgene Corporation, Summit, NJ  
**Vice-Chairs:** Rita Patel, DLA Piper LLP, Washington, DC; Nicole Hanna, ONEOK Inc., Tulsa, OK  
This meeting will provide an update on Notice 2018-68 detailing guidance from the Internal Revenue Service on certain aspects of the amended provisions of section 162(m). Panelists will discuss the impact of the guidance on current and future arrangements, including an update on the current understanding of the grandfather rule to existing compensation arrangements. Additionally, the meeting will discuss the anticipated guidance regarding the excise tax on annual compensation paid by all tax-exempt organizations in excess of $1 million.  
**Panelists:** Curtis Fisher, Bass Berry & Sims PLC, Nashville TN; Rita Patel, DLA Piper LLP, Washington, DC; Helen H. Morrison, Principal, National Tax Compensation & Benefits, Washington, DC
8:15AM – 11:30AM

Administrative Practice

Chair: Jennifer Breen, Morgan Lewis & Bockius, Washington, DC

8:15am **Important Developments.** This panel will discuss current developments and topics of immediate interest in tax administrative practice. Panel will focus on recent legislative efforts impacting tax law and the IRS, Treasury and IRS guidance, court decisions, ongoing litigation and other items germane to tax administration.

*Moderator:* James R. Gadwood, Miller & Chevalier, Washington, DC

*Panelists:* Kat Gregor, Ropes & Gray, Boston, MA; Shamik Trivedi, Grant Thornton, Washington, DC

9:00am **The Impact of Data Security Laws on IRS Audits.** In certain instances, personal emails, employee data, and types of certain employee-to-employee communications are responsive to IDR requests on proving business purpose or clarifying the characteristics of a transaction. Those communications, however, may contain an employee’s personal data or confidential information of vendors or competitors. Generally, tax practitioners closely scrutinize IDR responses to ensure attorney client or section 7525 privileged communications or corporate trade secrets are not disclosed. However, practitioners must appreciate that those communications may also be prohibited from disclosure based upon data security laws from around the world, including the EU’s General Data Protection Regulations (“GDPR”) effective May, 2018. Further, many states, such as California, also have enacted data security laws. The penalty for violating GDPR can reach 2% of worldwide annual revenue. This panel will discuss certain data security laws and how to avoid unlawful disclosures.

*Panelists:* Chuck Hodges, Jones Day, Atlanta, GA; Kristin Hadgis, Morgan Lewis & Bockius, Philadelphia, PA

10:00am Break.

10:15am **Final Partnership Audit Regulations: What’s New and Where Do We Go From Here.** This panel will explore the rules in the final regulations release just before the partial government shutdown with a panel of that has been closely watching this area since before enactment of BBA in 2015. They will provide their unique perspectives and provide insights on the process and changes made by the recently released guidance.

*Moderator:* Rochelle Hodes, Crowe LLP, Washington, DC

*Panelists:* Sheri Dillon, Morgan Lewis & Bockius, Washington, DC, Mary McNulty, Thompson & Knight, Dallas, TX
THURSDAY, JANUARY 23

8:15AM – 11:30AM
Affiliated & Related Corporations
Chair: Greg Fairbanks, Grant Thornton, Washington, DC

8:15am  **Section 163(j).** The panel will discuss applicable provisions of the proposed section 163(j) regulation package [REG-106089-18] as it relates to consolidated groups and observations regarding affiliated corporations as well.

**Moderator:** Julie Allen, PwC, Washington, DC

**Panelists:** Lisa Zarlanga, Washington, DC; Mark Hoffenberg, KPMG, Washington, DC; Anthony Sexton, Kirkland & Ellis, Chicago, IL

9:45am  **Break.**

10:00am  **Current Developments.** This panel will consider current developments affecting affiliated and related corporations other than the section 163(j) regulation package.

**Moderator:** Matt Gareau, Deloitte, Washington, DC

**Panelists:** Bryan Collins, Deloitte, Washington, DC; Graham Magill, KPMG, Washington, DC

8:15AM – 11:30AM
Banking & Savings Institutions
Chair: Yoram Keinan, Kostelanetz & Fink LLP, New York, NY

8:15am  **Advising Financial Institutions in Times of Uncertainty.** The passage of the 2017 Tax Act in December 2017 resulted in significant changes to the international tax landscape in the United States. To fully implement the legislation which contains many unresolved issues and unanswered questions, Treasury and IRS are working hard on drafting and issuing regulations that once finalized, are expected to supplement the provisions of the Act. In the interim, for a period of almost 18 months, financial institutions are expected to operate, plan and comply with provisions which in part are yet to be published (section 7805(b)(2) allows the Treasury to issue regulations up to 18 months from the enactment date of the legislation with an effective date as of the date of the original legislation and without it being considered retroactive). In light of this unique situation, the panel will discuss how financial institutions and their tax advisers should operate in times of uncertainty and how to manage and minimize the risks associated.

**Moderator:** Shay Menuchin, KPMG, Toronto, ON

**Panelists:** Professor Diane Ring, Boston College Law School, Boston, MA; Chris Ferguson, Kostelanetz & Fink, New York, NY

9:45am  **Break.**

10:00am  **Recent Developments Including Updates on International Tax Rules Pertaining to Financial Institutions.** This panel will discuss current developments in taxation of financial institutions, in anticipation of regulations by the end of the year pertaining to the international tax provisions of the 2017 Tax Act.

**Moderator:** Anthony Tuths, KPMG, New York, NY

**Panelist:** Yoram Keinan, Kostelanetz & Fink LLP, New York, NY
8:15AM – 11:30AM

Closely Held Businesses

Chair: Shawn L. McIntire, Velocity Global LLC, Denver, CO

8:15am Current Developments for Closely Held Businesses. This panel will discuss the recent developments in closely held businesses.

Panelists: Shawn L. McIntire, Velocity Global LLC, Denver CO; Sabrina Strand, Law Offices of Joseph H. Thibodeau PC, Denver, CO.

8:45am 280E – Introduction and Analysis of the Taxation of Cannabis Businesses. This panel will discuss the legislative history of I.R.C. Section 280E as well as current case law governing the cannabis industry including the C.H.A.M.P., Olive, Patients and Harborside cases. The panel will also discuss the overall regulatory landscape of the industry and the application of international cross-border transactions.

Panelists: Shawn L. McIntire, Velocity Global LLC, Denver CO; Adam Abrahams, Meyers Hurvitz Abrahams LLC, Rockville, MD; Brandon King, Baker & McKenzie LLP, Washington, DC; Carina Federico, Crowell & Moring LLP, Washington, DC.

10:00am Break.

10:15am Closely Held Businesses From Start to Finish: A Three Part Series. Part I: Formation: The panel will discuss what should be considered when establishing a closely held business and the difference considerations between C-Corporations, S-Corporations, Sole-Proprietorships and Partnerships. The panel will focus on both formation issues, corporate matters and taxation issues the business can face.

Panelists: Robb Longman, Longman & Van Grack LLC, Bethesda, MD; Joseph B. Schimmel, Cohen Chase Hoffman & Schimmel PA, Miami, FL; Catherine Engell, Bracewell LLP, New York, NY.

8:15AM – 11:30AM

Estate & Gift Taxes

Chairs: George D. Karibianjian, Franklin Karibianjian & Law PLLC, Boca Raton, Florida/Washington, DC; Hannah W. Mensch, Ehrenkranz Partners, New York, NY

8:15am Current Developments. This panel will review developments in federal estate, gift and generation-skipping transfer tax laws since October 2018.

Panelists: Megan M. Curran, Fiduciary Counselling Inc., Tacoma, WA; Beth Kerwin, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY.

9:00am Louisiana Estate Planning and Trust Practice: Some Challenges and Opportunities Under the Civil Law. Under the civil law, Louisiana estates and trusts have many unique characteristics. This panel will compare those characteristics to their common law analogues with the goal of helping practitioners avoid unintended tax and estate planning consequences for clients who own Louisiana property.

Panelists: Professor Ron Scalise, Tulane Law School, New Orleans, LA; Kara McQueen-Borden, Jones Walker, New Orleans, LA.

9:45am Break.

10:00am It’s All ‘Bout That Basis. Unlike Meghan Trainor’s song, which is quite repetitive, and like her song, where she says she’s “gon’ take it to a whole other level,” Lester plans to not be repetitive in his presentation and introduce us to a higher level of
understanding “tax basis.” Lester will focus on some tax planning strategies which allows clients to take advantage of the tax basis rules (generally achieving stepping up the basis of assets) under sections 1014 and 1015. He, will also discuss some of the more complicated issues in tax basis today. Finally, he will share his planning thoughts for those representing the client migrating from community property states to common law states and the issues involved in preserving (if possible) the double basis step up under section 1014(b)(6).

Panelist: Lester B. Law, Franklin Karibjianian & Law PLLC, Naples, FL/Washington, DC

10:45am The 2017 Tax Act: International Updates for the Trust and Estates Practitioner. This panel will review and examine the impact of the international aspects of the 2017 US tax legislation from the perspective of trusts, estates and individuals. In particular, this panel will cover new rules applicable to interests in controlled foreign corporations, passive foreign investment companies, the GILTI tax and nonresident beneficiaries of ESBTs.

Panelists: Michael Karlin, Karlin and Peebles, Los Angeles, CA; Thomas M. Giordano-Lascari, Karlin and Peebles, Los Angeles, CA

8:15AM – 11:30AM

8:15am Unintended Gender Bias in Our Tax Laws. As the effects of the 2017 Tax Act on tax expenditures begin to take effect, some stakeholders have raised questions on the distribution of the benefits. For example, an October 2018 article in the New York Times reported that the cuts are “disproportionately helping white American over African-Americans and Latinos”. Congress has taken note, at least with respect to section 199A and the Senate has heard testimony on how the JCT’s distribution of the revenue loss of section 199A reflects an unintended gender bias. This panel will discuss gender bias particularly with respect to women business owners and small business tax incentives. 2017 Tax Act provisions covered include elimination of the alimony inclusion/deduction regime; section 162(q); the corporate tax rate cut, section 199A, and the changes to sections 179 and 168(k).

Moderator: Professor Anthony Infanti, University of Pittsburgh School of Law, Pittsburgh, PA

Panelists: Professor Anne Bauer, University of Pittsburgh School of Law, Pittsburgh, PA; Professor Caroline Bruckner, American University and the Kogod Tax Policy Center, Washington, DC; Professor Annette Nellen, San Jose State University, San Jose, CA

9:15am Contingency Fees in Tax Matters. This panel will examine how an attorney can obtain contingency fees in representing a taxpayer. Topics covered will include what types of contingency fee engagements are permitted, which types of engagements are prohibited, and how to approach those engagements without clear guidance while remaining in compliance with a practitioners' ethical responsibilities under Circular 230.

Panelists: Jonathan Strouse, Harrison and Held, Chicago, IL; Christopher Rizek, Caplin and Drysdale, Washington, DC; Karen L. Hawkins, Hawkins Law, Yachats, OR
10:15am  Break.

10:30am  The Current Filing Season: An Update on Some Issues Facing Practitioners and Taxpayers. Reducing burdens in the tax filing process is a key goal for policymakers. As the filing season is upon us, this panel will explore key ways that the IRS and Congress have attempted to make the process simpler for taxpayers, including the introduction of a postcard Form 1040, an increase in the standard deduction and the creation of an Annual Filing Season Program designed to give taxpayers greater information about the qualifications of unlicensed tax return preparers. Other changes, like the section 199A deduction for qualified business income and the growing importance of service providers in the platform economy, have the potential for creating additional complexities and compliance costs. At the same time, the government has been active in addressing bad actors among commercial tax return preparers through a sustained effort to obtain injunctions. This panel will offer a critical perspective on burdens in the filing process, offering views from the commercial tax return preparation industry, a consumer perspective and the government. This is the first of a two-part panel co-sponsored with the Pro Bono & Tax Clinic Committee exploring burdens in the filing and compliance process.

Moderator: Anna Tavis, Brooklyn Legal Services, New York, NY
Panelists: Kathy Pickering, The Tax Institute at H&R Block, Kansas City, MO; Vijay Raghavan, Consumer Fraud Bureau, Office of the Illinois Attorney General, Chicago, IL; Caroline D. Ciraolo, Kostelanetz & Fink LLP, Washington, DC
Co-sponsored by: Pro Bono & Tax Clinics
10:15am  Break. 🔄

10:30am  An Opportunity to Discuss Opportunity Zones. This panel will discuss the definitions and requirements applicable to Qualified Opportunity Funds and Qualified Opportunity Zone Businesses, with a particular focus on some of the most challenging investor and fund-related issues.

Panelists: Lisa Starczewski, Buchanan Ingersoll & Rooney, Washington, DC; Robert Cassanos, Fried Frank, New York, NY; Michael Shulman, Shearman & Sterling LLP, New York, NY

8:15AM – 11:30AM  Empire A, Level 2

Real Estate 🌈

Chair: Todd D. Keator, Thompson & Knight LLP, Dallas, TX

8:15am  Hot Topics. This panel will focus on new judicial, legislative, and administrative guidance and other recent developments relating to the taxation of real estate and partnerships.

Moderator: Kate Kraus, Allen Matkins Leck Gamble Mallory & Natsis LLP, Los Angeles, CA

Panelist: Glenn Johnson, EY, Washington, DC

9:00am  Qualified Opportunity Zones – Reboot. This panel will discuss the proposed regulations regarding qualified opportunity zones and questions remaining for real estate developers and investors looking to undertake an opportunity zone project.

Moderator: Mark Wilensky, Melzer Lippe Goldstein & Breitstone LLP, Mineola, NY

Panelists: Steven Kennedy, PwC, Boston, MA; Lisa Starczewski, Buchanan Ingersoll & Rooney PC, Washington, DC; Lou Weller, Weller Partners LLP, Sausalito, CA; Leila Vaughan, Royer Cooper Cohen Braunfeld LLC, Conshohocken, PA

9:45am  Break. 🔄

10:00am  Section 163(j) – Update. This panel will provide a detailed discussion of the aspects of the proposed regulations on the limitation on the deduction for business interest expense that are applicable to partnerships and the real estate industry.

Moderator: Ossie Borosh, KPMG LLP, Washington, DC

Panelist: Monisha Santamaria, EY, Los Angeles, CA; Jon Finkelstein, KPMG, Washington, DC

10:45am  Section 1061 – O&G and Real Estate Funds. This panel will provide a detailed discussion of the application of the carried interest rules to oil and gas and real estate funds.

Moderator: Craig Gerson, PwC, Washington, DC

Panelists: Roger Aksamit, Thompson & Knight LLP, Houston, TX; Orla O’Connor, KPMG LLP, San Francisco, CA
8:15AM – 11:30AM

S Corporations  
Empire D, Level 2

Chair: Thomas J. Phillips, von Briesen & Roper sc, Milwaukee, WI

8:15am **Section 163(j) Proposed Regulations.** A dialogue with representatives from the Treasury Department and the Internal Revenue Service Chief Counsel's Office on the section 163(j) proposed regulations as applied to S corporations.

**Moderator:** Kevin D. Anderson, BDO USA LLP, Washington, DC

**Panelist:** H. Grace Kim, Grant Thornton LLP, Washington, DC

9:15am **Section 1202 Entity Selection Considerations.** This panel will review section 1202 as a factor in C corporation versus S corporation selection.

**Moderator:** Thomas J. Nichols, Meissner Tierney Fisher & Nichols SC, Milwaukee, WI

**Panelists:** Laura Howell-Smith, Deloitte Tax, Washington, DC; Steven I. Klein, Sher Garner Cahill Richtek Klein & Hilbert, New Orleans, LA

10:15am Break

10:30am **Important Developments in the Federal Income Taxation of S Corporations.** This panel will discuss recent legislative administrative and judicial developments relating to S corporations and their shareholders.

**Moderator:** Laura Krebs Al-Shathir, Capes Sokol, St. Louis, MO

**Panelists:** Mary Beth Dolan, Bryan Cave Leighton Paisner LLP, St. Louis, MO; Edward A. Waters, Dean Mead, Orlando, FL

8:30AM – 10:30AM

Foreign Activities of US Taxpayers  
Empire B, Level 2

Chair: Kimberly J. Majure, KPMG, Washington, DC

8:30am **Foreign Tax Credits 2.0.** The issuance of recent foreign tax credit guidance has made life... interesting. Taxpayers and advisors alike are struggling to grasp the implications of the new proposed regulations and identify open issues. Join several members of the FAUST comments group, for a discussion of the latest developments.

**Moderator:** Caren Shein, Deloitte, Washington, DC

**Panelists:** Dirk Suringa, Covington & Burling, Washington, DC; Micah Gibson, PwC, Washington, DC

9:30am **Tax Reform: Outbound Case Study.** This panel will present a case study involving a "simple" US based multinational and a few fairly common transactions. We will then walk through a comparison of the pre-Tax Reform and post-Tax Reform implications of the transactions.

**Moderator:** Sam Kaywood, Alston & Bird, Atlanta, GA

**Panelists:** Barbara Rasch, KPMG, Los Angeles, CA; Natan Leyva, Vinson & Elkins, Washington, DC; Rafi Mottahehdeh, Cargill, Wayzata, MN
8:30AM – 10:30AM
Transfer Pricing

Chair: Timothy S. Gunning, EY, New York, NY

8:30am **The Great BEAT Debate – A Rematch.** The Great BEAT Debate – A Rematch. Taxpayers and tax planners have struggled with myriad interpretative issues related to the new Base Erosion and Anti-Abuse Tax, more fondly known as the BEAT. Recently proposed regulations provide enhanced clarity on some issues but also raise new ones. The amounts at stake are not small. And in some cases, the “right” answer is far from clear. This panel will recap questions answered in the proposed guidance and then explore the most critical open issues through a point-counterpoint format, with panelists pairing off (and squaring off) to present the primary competing viewpoints. Issues will include: (1) whether section 59A overrides certain provisions of U.S. income tax treaties, (2) whether regulations can (and should) mitigate the overlap of GILTI and the BEAT, and (3) whether and under what circumstances netting of payments can be given effect in applying the BEAT. The panel’s lively format will enable audience members to more fully understand and evaluate the proposed BEAT regulations and the factors that Treasury and the IRS may consider in finalizing the guidance.

**Moderator:** Anne Gordon, PwC, Washington, DC

**Panelists:** Loren Ponds, Miller & Chevalier, Washington, DC; Professor William J. Seeger, University of Texas at Arlington, Economics and College of Business, Arlington, TX; Martin A. Sullivan, Tax Analysts, Washington, DC; Thomas A. Vidano, EY, Washington, DC; Maruti R. Narayan, DLA Piper, New York, NY

9:30am **Current Trends in Transfer Pricing Cases.** There are billions at stake as the IRS and taxpayers continue to fight over the proper application of section 482 with no end in sight. *Altera, Amazon.com, Coca-Cola, Eaton, Facebook, Medtronic, and Perrigo,* among others, continue to work their way through the courts, and none of them has reached final resolution. This panel will discuss current trends and recurrent themes in the pending transfer pricing cases and what the future may hold.

**Panelists:** Angela Chang, Baker McKenzie, Palo Alto, CA; Ryan Kelly, Alston & Bird, Washington, DC; Lillian Sullivan, KPMG, Washington, DC

8:45AM – 4:30PM
Exempt Organizations

Chair: Lisa L. Johnsen, Bill & Melinda Gates Foundation, Seattle, WA

8:45am **Committee Business.**

9:00am **News of the IRS and Treasury and Update on Developments Under the 2017 Tax Act.** EO committee members will discuss topics of current interest to exempt organizations practitioners and developments since our last meeting with respect to provisions of the 2017 Tax Act impacting tax exempt organizations.

**Moderator:** Cynthia M. Lewin, Venable LLP, Washington, DC
Panelist: Meghan R. Biss, Caplin & Drysdale, Washington, DC; Emily M. Lam, Skadden Arps Slate Meagher & Flom LLP, Palo Alto, CA; Preston Quesenberry, KPMG LLP, Washington, DC; Ralph DeJong, McDermott Will & Emery, Chicago, IL; Alexander L. Reid, Morgan Lewis & Bockius LLP, Washington, DC

11:15am Break. 🕒

11:30am **Beyond Electioneering 101.** The midterms may have just wrapped up, but 2020 will be upon us before you know it. This panel will focus on election-related questions for which existing guidance does not provide simple answers, covering topics such as targeting decisions and use of issues in voter engagement activities (registration, education, and get-out-the-vote), fundraising, ballot measure advocacy, interactions with candidates and political parties, and use of social media.

**Moderator:** Rosemary E. Fei, Adler & Colvin, San Francisco, CA

**Panelists:** Andrew Schulz, Arabella Advisors, Washington, DC; Charles M. Watkins, Webster Chambers & Bean LLP, Washington, DC

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

**Progress on Criminal Justice Reform – Impacts of the 2018 Midterm Election and the Road Ahead**

**Speaker:** Professor William P. Quigley, Loyola University New Orleans, New Orleans, LA

2:00pm **Accounting for Lawyers (NOT!): The Practical Ramifications of NEW Accounting Standards Update 2018-08 on Exempt Organizations.** Implementation of ASU 2016-14 (with expanded guidance via ASU 2018-08) is required for fiscal years (including interim periods within such years) beginning after 12/15/2018. The two ASUs alter financial statement presentation and footnote disclosures (NOT per se accounting). This panel will discuss how ASU 2018-08's clarifications affect financial statements' reporting of grants and contracts received, intersect with the Regulations' standards for the two “public support tests,” and the challenges grantmakers have faced in light of these new edicts.

**Panelists:** Eve Borenstein, BAM Law Office LLC, Minneapolis, MN; Deby MacLeod, Clark Nuber PS, Seattle, WA

2:45pm **Current Complex Investment Issues.** This panel will discuss current complex exempt organization investment issues, including potential private benefit and inurement concerns raised by the partnership audit rules effective in 2018, the section 965 transition tax, GILTI and special private foundation issues such as excess business holdings and co-investments with disqualified persons.

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

**Panelists:** Michael W. Durham, Kirton McConkie PC, Salt Lake City, UT; Joshua E. Gewolb, Harter Secrest & Emery LLP, Rochester, NY; Chelsey Ziegler, John D. and Catherine T. MacArthur Foundation, Chicago, IL

4:00pm **Cash Bar 🍹**
9:00AM – 12:00PM  

9:30AM – 11:00AM  
**Employee Benefits Administrative Practices Update**

*Presented by the Subcommittee on Administrative Practices*

**Chair:** Thomas R. Pevarnik, Deloitte Tax LLC, Washington, DC  
**Vice-Chair:** Jewelie A. Grape, Conner & Winters LLP, St. Paul, MN  
**Assistant Vice-Chairs:** Serena Simons, The Segal Company, Washington, DC; Judy Hensley, Roberts & Holland LLP, New York, NY; John Barlow, Groom Law Group, Washington, DC

The subcommittee will discuss developments affecting retirement plans, including recent IRS guidance on EPCRS, the developments concerning the determination letter program, and updates on the pre-approved plan program. The subcommittee will discuss the administrative issues surrounding recent changes to the rules concerning hardship distributions. The subcommittee will also discuss developments related to PBGC initiatives on missing participants. The subcommittee meeting will include open discussion on issues of interest to the audience affecting the administration of retirement plans.

**Panelists:** Thomas R. Pevarnik, Deloitte Tax LLC, Washington, DC; Jewelie A. Grape, Conner & Winters LLP, St. Paul, MN; Stephanie Cibinic, Deputy Assistant General Counsel for Regulatory Affairs, PBGC, Washington, DC

9:30AM – 10:30AM  
**Employee Benefits Legislation & Litigation Update**

*Presented by Subcommittee on Employee Benefits Legislation & Litigation*

**Chairs:** Michael Bartolic, Chicago, IL; Lisa Bleier, SIFMA, Washington, DC  
**Vice-Chairs:** Professor Jonathan B. Forman, University of Oklahoma, Norman, OK; Michael Kreps, Groom Law Group Chartered, Washington, DC

This panel will cover new employee benefits provisions being considered by Congress in the coming year, including the Retirement Enhancement Security Act (RESA), and other proposals anticipated with a new Chair of the House Ways and Means Committee. We will also cover employee benefits litigation and recent state employee benefit legislative developments.

**Panelist:** Lisa Bleier, SIFMA, Washington, DC

9:30AM – 11:00AM  
**Tax Policy & Simplification**

*Chair:* Roger Royse, Royse Law Firm, Menlo Park, CA

9:30am  
**Tax Law Needs Couples Therapy: Alimony, Voss and Policy Considerations in Taxing Divorced and Unmarried Couples.** Before their repeal by the 2017 Tax Act, former Sections 71, 215 and 682 of the Internal Revenue Code allowed payors to deduct alimony payments and required payees to treat the payments as taxable income. Alimony payments made under agreements or decrees governed by the 2017 Tax Act are not deductible by the payor and are not includible in the recipient’s income. This change is expected to raise revenue because the divorced couple’s taxable income will no longer be split between two taxpayers. Instead, the principal earner will be taxed, possibly at a high average rate, on all of his or her earnings. Since this tax will often be determined by the single taxpayer rate schedule, the overall annual tax burden on the divorced couple may be substantially greater than...
it was before the divorce. It may also be substantially greater than it would have been after the divorce under prior law. The 2017 Tax Act also made other changes in the law that affect divorce planning. The changes in the divorce context overall are expected to raise revenue from divorced couples. Critics of the new law argue that the alimony tax deduction has been an important incentive for settling family law cases, in part because it eased the financial impact of divorce. Proponents have characterized prior law as a “divorce subsidy” and cite non-compliance data (non-reporting of alimony income by some recipients). On the other hand, the new law basically puts divorced couples on the same playing field as couples in civil unions or domestic partnerships who may or may not have had the option of getting married. Strangely enough, a more noticeable divorce or non-marriage subsidy results under the 2015 9th Circuit Voss decision for some couples with higher incomes as a result of the limitations on deductions for mortgage interest and state taxes. Maybe it is time to rethink marriage as a special status involving shared income and expenses that differs from how other couples, those not married, handle their budgets. Our panel will present the competing arguments and discuss the practical and policy implications of the repeal.

**Moderator:** Professor Michael B. Lang, Chapman University Fowler School of Law, Irvine, CA

**Panelists:** Phyllis Horn Epstein, Epstein, Shapiro & Epstein PC, Philadelphia, PA; Professor Anthony C. Infanti, University of Pittsburgh School of Law, Pittsburgh, PA

9:45AM – 10:45AM

**Employee Benefits Multiple Employers, PEOs and Controlled & Affiliated Service Groups Update**

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

**Chair:** Stefan P. Smith, Locke Lord LLP, Dallas, TX

**Vice-Chairs:** Robert J. Toth Jr., Law Office of Robert J. Toth Jr. LLC, Fort Wayne, IN; Farrah Fielder, National Association of Professional Employer Organizations, Alexandria, VA

**Assistant Vice-Chair:** Brandon Long, McAfee & Taft, Oklahoma, OK

The Committee will cover: (i) the recent proposed rule addressing Association Retirement Plans and Other Multiple-Employer Plans; and (ii) a theoretical debate on whether multiple employer plans are a feasible and realistic solution to the nation’s retirement saving shortfall.

**Panelists:** Stefan P. Smith, Locke Lord LLP, Dallas, TX; Farrah Fielder, General Counsel, National Association of Professional Employer Organizations, Alexandria, VA; Robert J. Toth Jr., Law Office of Robert J. Toth Jr. LLC, Fort Wayne, IN; Brandon Long, McAfee & Taft PC, Oklahoma City, OK; John L. Utz, Utz & Lattan LLC, Overland Park, KS; David Levine, Groom Law Group, Washington, DC

10:00AM – 12:00PM

**Employee Benefits Welfare Plans and EEOC, FMLA and Leaves Issues Update**

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

**Chairs:** Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL; Elena Kaplan, Jones Day, Atlanta, GA

**Vice-Chairs:** Jaquelyn Meng Abbott, ExxonMobil, The Woodlands, TX; Rachel Levy, Groom Law Group Chartered, Washington, DC; Carolyn M. Trenda, McGuireWoods LLP, Chicago, IL

**Assistant Vice-Chairs:** Robyn Crosson, ADP, Indianapolis, IN; Gary Chase, Willis Towers Watson, New York, NY; Kim Wilcoxon, Thompson Hine LLP, Cincinnati, OH

This meeting will address recent guidance on the IRC 45S employer credit for paid family and medical leave. The meeting will also address recent developments and trends in litigation related
to mental health and substance use disorders and how that litigation is impacting covered benefits. The speakers will discuss recent guidance regarding the expansion of the permitted uses for HRAs to pay individual market premiums. Finally, the speakers will provide an update on wellness program regulation, including DOL enforcement activity, states' regulatory activity in the group health insurance market and developments affecting Affordable Care Act provisions.

**Panelists:** Robyn Crosson, ADP, Indianapolis, IN; Yelena Fertman Gray, Nixon Peabody LLP, Chicago, IL; Elena Kaplan, Jones Day, Atlanta, GA; Linda R. Mendel, Vorys Sater Seymour and Pease LLP, Columbus, OH; Rachel Levy, Groom Law Group Chartered, Washington, DC; Gabriel S. Marinaro, Katten Muchin Rosenman LLP, Chicago, IL; Carolyn M. Treda, McGuireWoods LLP, Chicago, IL; Kim Wilcoxon, Thompson Hine LLP, Cincinnati, OH

### 10:30AM – 12:00PM

**Foster 1, Level 2**

**Energy & Environmental Taxes**

**Chair:** Amish Shah, Eversheds Sutherland, Washington, DC

**10:30am Energy Industry Tax Updates Roundtable.** This roundtable session will be a discussion among attendees of recent legislative, judicial and regulatory tax developments impacting the energy sector and companies engaged in energy transactions and investments, including tax reform impacts and related regulatory guidance (such as the impact of proposed regulations under sections 163(j) and 168(k) to the energy sector), and other income and excise tax oil and gas, renewable energy and alternative fuels developments.

**Moderators:** Amish Shah, Eversheds Sutherland, Washington, DC; Courtney Sandifer, Mazars USA, Washington, DC

**Panelists:** Brian Americus, Deloitte, Washington, DC; Brad Seltzer, Eversheds Sutherland, Washington, DC

### 10:30AM – 12:30PM

**Empire B, Level 2**

**US Activities of Foreigners & Tax Treaties**

**Chair:** Summer LePree, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL

**10:30am Section 267A – A Hybrid Approach to Dealing with Hybrids.** This panel will review new section 267A and how it fits (or doesn't fit) together with other provisions of the Code and Regulations that address hybrids and hybrid related provisions in the 2016 Model Treaty. The panel will review scenarios where section 267A can deny a deduction while the hybrid regulations or a Treaty would deny treaty benefits at the same time. The panel will also address whether section 267A may apply to the use of hybrids in outbound scenarios. The panel will review proposed regulations under section 267A if they are available.

**Moderator:** Sam K. Kaywood Jr., Alston & Bird, Atlanta, GA

**Panelists:** Jeffrey L. Rubinger, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; Pamela Endreny, Skadden, New York, NY

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**Symbols:**
- **Taped**
- **Young Lawyers Program**
- **Ethics Credits Requested**
- **No CLE Credit**
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**2019 ABA/IPT Advanced Tax Seminars**
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Over the course of five days comprising three one and one-half day seminars, a distinguished and multidisciplinary faculty, including appraisers, government and private sector tax officials, tax managers, and state and local tax attorneys, will lead you in the practical examination of current state and local tax issues facing different businesses and industries.

**2019 May Tax Meeting**
**May 9-11 • Washington, DC**

This three-day meeting will give you the resources and information you need on the latest developments and strategies to represent and meet the needs of your clients and take your practice to the next level. Attendees, speakers and guests include high-level government officials, judges, corporate counsel, and private practitioners engaged in all aspects of tax law.

Visit https://americanbar.org/groups/taxation/events_cle/ for more information about these and other CLE events.
PROGRAM SCHEDULE
FRIDAY, JANUARY 18

11:30am  **Shedding Light on the BEAT.** This panel will discuss the operation of the new base erosion and anti-abuse tax (BEAT) and issues that taxpayers must consider relating to the BEAT. Included in this panel discussion will be the scope of base erosion payments, how the aggregation rules work, exceptions to base erosion payments (including the service cost method and COGs exception), and the interaction of the BEAT with other tax regimes. Any guidance from the IRS and Treasury relating to the BEAT will be covered in this panel.

**Moderator:** Joe Calianno, BDO, Washington, DC

**Panelists:** Lucas Giardelli, Mayer Brown LLP, New York, NY; Amie Colwell Breslow, PwC, Washington, DC

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**11:00AM – 12:00PM  Strand 10AB, Level 2**

**Employee Benefits Distributions Update**
Presented by the Subcommittees on Distributions

**Chairs:** J. Rose Zaklad, Groom Law Group, Washington, DC; David A. Whaley, Thompson Hine LLP, Cincinnati, OH

**Vice-Chair:** Ryan M. Session, Eversheds Sutherland, Washington, DC

The Subcommittee will discuss recent issues of interest affecting plan distributions, including a discussion on minimum required distribution issues, including uncashed checks and missing and unresponsive participants. The Subcommittee also will discuss the status of Notice 2015-49 and proposed legislation that would modify the current minimum required distribution rules.

**Panelists:** David Whaley, Thompson Hine, Cincinnati, OH; Ryan Session, Eversheds Sutherland, Washington DC; J. Rose Zaklad, Groom Law Group, Washington, DC

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**11:00AM – 12:00PM  Strand 3, Level 2**

**Employee Benefits Exempt Organization and Governmental Plans Update**
Presented by the Subcommittee on Exempt Organization and Governmental Plans

**Chairs:** Blake C. MacKay, Alston & Bird, Atlanta, GA; Robert Johnson, Kaufman & Canoles PC, Newport News, VA

**Vice-Chair:** Jenni Krengel, Reed Smith LLP, San Francisco, CA

**Assistant Vice-Chairs:** Bryanne Kelleher, VOYA, Windsor, CT; Brian Gallagher, Fraser Trebilcock, Lansing, MI

The panel will discuss current issues impacting governmental, tax-exempt, and church plans, including an update on university 403(b) litigation and church plan litigation, questions and issues relating to the new section 4960 excise tax on executive compensation, questions and issues on Section 512(a)(7) guidance, and a review of other applicable legislative provisions.

**Panelists:** Robert Johnson, Kaufman & Canoles PC, Newport News, VA; Bryanne Kelleher, VOYA, Windsor, CT; Jenni Krengel, Reed Smith LLP, San Francisco, CA; Blake C. MacKay, Alston & Bird, Atlanta, GA
11:00AM – 12:00PM
Employee Benefits Fiduciary Responsibility & Plan Investments Update
Presented by the Subcommittee on Fiduciary Responsibility & Plan Investments
Chairs: David A. Cohen, Newport Trust Company, Washington, DC; Jeffrey Lieberman, Skadden Arps Slate Meagher & Flom LLP, New York, NY
Vice-Chairs: Yongo Ding, Miller & Chevalier Chartered, Washington, DC; Kyla Smith, Newport Trust Company, New York, NY
Assistant Vice-Chair: Arsalan Malik, Groom Law Group, Washington, DC
This panel will discuss recent guidance and other issues addressing ERISA fiduciary responsibilities. The panel will discuss, among other topics, proposed regulations expanding the use of multiple employer plans, SEC’s Regulation Best Interest and related guidance, recent developments regarding association health plans, state efforts at fiduciary regulation, and the Fall 2018 Regulatory Agenda.
Panelists: Jeffrey Lieberman, Skadden Arps Slate Meagher & Flom LLP, New York, NY; Yongo Ding, Miller & Chevalier Chartered, Washington, DC; Arsalan Malik, Groom Law Group, Washington, DC; Fritz Richter III, Bass Berry & Sims PLC, Nashville, TN; Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

11:00AM – 11:30AM
Employee Benefits New Employee Benefits Attorneys Forum
Chair: Laura R. Westfall, King & Spalding, New York, NY
Informal meeting for new members of the Employee Benefits Committee.

11:30AM – 12:30PM
Appointments to the Tax Court
Chair: Joshua D. Odintz, Baker & McKenzie LLP, Washington, DC
11:30am The Role of Form 4340 in Tax Litigation. This discussion will focus on the role of Form 4340 in tax controversies and litigation. The panel will explore the basics of Form 4340, deference to be given to the form by Settlement Officers, Tax Court, and District Court, what items on the form are entitled to a presumption of correctness, admissibility and challenges to the form under the Federal Rules of Evidence, and the impact of lost administrative files.
Moderator: Valerie Vlasenko, Agostino & Associates PC, Hackensack, NJ
Panelists: Lawrence Sannicandro, McCarter & English, Newark, NJ; Jonathan T. Amitrano, Law Offices of A. Lavar Taylor, Santa Ana, CA; Professor Bryan Camp, Texas Tech University School of Law, Lubbock, TX
### COMMITTEE LUNCHEONS

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**Employee Benefits Defined Benefit Plans Update**  
Presented by the Subcommittees on Defined Benefit Plans  
**Chairs:** Sarah Fry, The North American Coal Corporation, Plano, TX; John H. Wendeln, Thompson Hine LLP, Cincinnati, OH  
**Vice-Chairs:** Rosina Barker, Morgan, Lewis & Bockius LLP, Washington, DC; Allison Hoots, Keightley & Ashner LLP, Washington, DC; Meredith VanderWilt, Polsinelli PC, Dallas, TX  
**Assistant Vice-Chair:** Malaika Caldwell, Ogletree Deakins, Chicago, IL  

The subcommittee will discuss recent issues of interest affecting defined benefit plans, including current developments from the IRS/Treasury and PBGC and getting a pension plan ready for a derisking transaction, such as an annuity purchase or plan termination.
Panelists: Daniel Liebman, Assistant General Counsel, PBGC, Washington, DC; John Menke, Assistant General Counsel, PBGC, Washington, DC; Harold Ashner, Keightley & Ashner LLP, Washington, DC; Rosina Barker, Morgan Lewis & Bockius LLP, Washington, DC; Sarah Fry, The North American Coal Corporation, Plano, TX; John H. Wendeln, Thompson Hine LLP, Cincinnati, OH

12:00PM – 1:00PM
Employee Benefits ESOP Update
Presented by the Subcommittee on ESOPs
Chair: Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY
Vice-Chairs: Allison Wilkerson, McDermott Will & Emery, Dallas, TX; Michelle Lewis, Hunton & Williams LLP, Washington, DC
Assistant Vice-Chairs: Nicholas Wamsley, Miller & Chevalier Chartered, Washington, DC; Scott Thompson, Haynes and Boone LLP, Dallas, TX

Subject to representation from the Department of Treasury, this meeting will include a discussion of anticipated ESOP-related regulations and other guidance from Treasury, as well as, a review of concerns regarding “price protection” policies implemented in second stage transactions. The panel will also review those issues raised in ESOP transactions that continue to be heavily scrutinized by regulators, including projections, negotiations, what constitutes “control”, and (possible) dilutive equity. Finally, the panel will discuss current case law, including recently issued guidance addressing the evolving impact of Dudenhoeffer on employer securities in retirement plans.

Panelists: Benjamin J. Evans, Bingham Greenebaum Doll LLP, Louisville, KY; Allison Wilkerson, McDermott Will & Emery, Dallas, TX; Michelle Lewis, Hunton & Williams LLP, Washington, DC; David A. Whaley, Thompson Hine LLP, Cincinnati, OH

12:00PM – 1:15PM
Employee Benefits Mergers & Acquisitions Update
Presented by the Subcommittee on Mergers & Acquisitions
Chair: Stephanie Jeane, Latham & Watkins, San Francisco, CA
Vice-Chairs: Jessica Agostinho, Hunton & Williams LLP, Washington, DC; Ryan Montgomery, Morgan Lewis & Bockius LLP, Boston, MA

Deal “Horror Stories” Related to Employee Benefits and Executive Compensation. Benefits issues never drive the deal, until they do. This panel will discuss benefit issues discovered in recent mergers and acquisitions that impacted the deal and in some cases, even drove the deal to an early grave. The panelists will discuss how to mitigate these issues, and strategies for discussing big ticket benefits issues with your corporate colleagues and clients.

Panelists: Mark A. Bodron, Baker Botts LLP, Houston, TX; Scott Thompson, Haynes and Boone LLP, Dallas, TX; Susan A. Wetzel, Haynes and Boone LLP, Dallas, TX

12:00PM – 2:30PM
Nominating (Executive Session)
12:15PM – 1:15PM

Employee Benefits Corporate Counsel Forum

Presented by the Employee Benefits Corporate Counsel Forum

Chair: Jacquelyn M. Abbott, Exxon Mobil Corporation, Houston, TX
Vice-Chair: Christina M. Crockett, Washington, DC

Bringing Disclosure into the Electronic Age. On August 31, 2018, the President signed Executive Order 13847 - Strengthening Retirement Security in America. A portion of that mandate is to improve the effectiveness of and reduce the cost of furnishing required notices and disclosures. The corporate counsel forum will discuss potential responses to this mandate.

Panelists: Kurt Lawson, Hogan Lovells, Washington, DC; Christina M. Crockett, Attorney, Washington, DC; Jacquelyn Abbott, Exxon Mobil Corporation, Houston, TX; Allison K. Perry, Shell Oil Company, Houston, TX; Jeanne Klinefelter Wilson, Deputy Assistant Secretary for Policy, Employee Benefits Security Administration, Department of Labor, Washington, DC (Invited)

12:30PM – 1:30PM

Diversity

Chair: Lany L. Villalobos, Dechert LLP, Philadelphia, PA

12:30pm Power & Privilege: The Social and Cultural Implications Arising From Our Federal Tax System. Our federal tax system is a revenue raising mechanism, but what do the policies underlying the mechanics of our federal system reflect about our society and what we value? Is our federal tax system a reflection of the lines of difference and discrimination in American society based on race, ethnicity, socioeconomic class, gender, sexual orientation, gender identity, immigration status, and disability? This panel will discuss the theories raised in the recent book, “Our Selfish Tax Laws: Toward Tax Reform That Mirrors Our Better Selves”.

Moderator: M. Blair James, Law Clerk, US Tax Court, Washington, DC
Panelists: Professor Anthony Infanti, University of Pittsburgh School of Law, Pittsburgh, PA; Professor Linda Beale, Wayne State University Law School, Detroit, MI; Armita Sobhi, EY, Washington, DC

12:30PM – 1:30PM

State & Local Taxes

Chair: Edward J. Bernert, BakerHostetler, Columbus, OH

12:30pm The (Funny) Business of Putting on a Mardi Gras Parade. Members of the Krewe of Muses explain the process of forming an all-female carnival organization and putting on the parade that New Orleanians voted, hands down, best Mardi Gras parade each year!

Moderator: Jaye Calhoun, Kean Miller LLP, New Orleans, LA

12:30PM – 3:30PM

Young Lawyers Forum – 2018-2019 Law Student Tax Challenge Final Rounds (Open to the Public)
1:00PM – 2:30PM
Foreign Activities of US Taxpayers, Transfer Pricing, and US Activities of Foreigners and Tax Treaties

1:00pm  International Government Officials Panel. This panel will review and analyze the most significant recent developments in international tax.

Panelists: Dan McCall, Deputy Associate Chief Counsel (International Technical), IRS Office of Associate Chief Counsel (International), Washington, DC; Douglas Poms, International Tax Counsel, Department of Treasury, Washington, DC; Brenda Zent, Special Advisor on International Taxation, Office of International Tax Counsel, Department of Treasury, Washington, DC

1:30PM – 4:45PM
Employment Taxes

Chair: Edward J. Leyden, Leyden Law LLC, Washington, DC

1:30pm  IRS Employment Tax Update. Senior IRS officials provide an overview of important developments since the October 2018 Meeting, including pertinent Supreme Court decisions, guidance projects in connection with the 2017 Tax Act, and proposed legislation, such as the proposed EMPOWER ACT.

Speaker: Edward J. Leyden, Leyden Law LLC, Washington, DC

2:30pm  Current Developments in Federal Employment and Payroll Tax Enforcement. The IRS has been increasingly diligent in enforcing employment and payroll tax compliance. This panel will discuss challenges both to practitioners and to enforcement agents, alike.

Speaker: Chaya Kundra, Kundra Tax Law LLC, Rockville, MD

3:30pm  Break.

3:45pm  Update on the Tax Consequences of Employment Settlements and Judgments. Resolving employment disputes has always been a prominent feature of the legal landscape. Recent events, however, have brought into even sharper focus for employers and their executives, alike, the potential pitfalls that can arise from alleged

CANCELLED
workplace harassment and misconduct. Partly in response to these events – and for separate fiscal reasons, as well – the 2017 Tax Act has made very significant changes to the federal tax consequences that may arise from the disposition of an employment dispute, including for the deductibility of settlement amounts and attorneys’ fees. This panel will provide an overview of the overarching tax principles governing employment disputes, examine the tax treatment of settlements and judgments under revised federal tax law (including new IRC § 162(q)), and discuss potential next legislative and administrative steps for addressing these issues, including the proposed EMPOWHER Act.

**Speaker:** Edward Leyden, Leyden Law LLC, Washington, DC

**1:30PM – 4:00PM**

**Standards of Tax Practice**

**Chair:** Rachel L. Partain, Caplin & Drysdale Chartered, New York, NY

- **1:30pm** Ethical Issues in Federal Tax Practice. This panel will provide an update on recent guidance from the IRS and the Department of Treasury and pending cases that relate to tax practice standards.
  - **Moderator:** Matthew S. Cooper, EY, Washington, DC
  - **Panelist:** Paul Butler, Kostelanetz & Fink LLP, Washington, DC

- **2:00pm** The All New Two-Minute Drills. Come on down and watch our Champions compete on Celebrity Jeopardy! This panel will be a fun take on two-minute drills covering a potpourri of ethics-related issues, particularly client confidences. All members of our studio audience will receive ethics credits.
  - **Moderator:** Scott Michel, Caplin & Drysdale Chartered, Washington, DC
  - **Panelists:** Frank Agostino, Agostino & Associates, Hackensack, NJ; Professor Linda M. Beale, Wayne State University Law School, Detroit, MI; Diana L. Erbsen, DLA Piper, New York, NY

- **3:00pm** I’m a US Lawyer, What’s the EU Got To Do With Me? – Navigating Ethics in Global Practice. This panel will look at various international initiatives implementing increased tax transparency measures that have potential ethical impact on US tax professionals, including lawyers. Presenters will focus on the recently implemented EU mandatory disclosure rules and similar measures that might impose obligations on US lawyers and raise delicate ethical issues. A practical discussion will give attendees a sense of best practices and audience engagement is encouraged!
  - **Moderator:** Jeremiah Coder, Organisation for Economic Co-operation and Development (OECD), Paris, France
  - **Panelists:** Délicia M. Capocasale, Cuatrecasas, New York, NY; Alan Winston Granwell, Holland & Knight, Washington, DC; Kat Saunders Gregor, Ropes & Gray, Boston, MA

**Co-sponsored by:** Foreign Lawyers Forum
FRIDAY, JANUARY 18

2:00PM – 6:15PM

Employee Benefits

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

2:00pm  **Student Loan Repayment Benefits: Options and Issues for Retirement Plans.** The IRS 401(k) student private letter ruling employer programs has heightened employer interest to subsidize student loan debt repayments through qualified retirement plans. This panel will address the matters that an employer should consider before proceeding with a student loan repayment benefit program involving a 401(k) plan, including nondiscrimination, prohibited transaction and the contingent benefit rules and administrative issues with respect to tracking student loan repayments and communicating with employees. The panel will also address efforts to expand the planning concepts from this ruling to other contexts, including ABLE accounts.

**Moderator:** Andrew C. Liazos, McDermott Will & Emery LLP, Boston, MA

**Panelists:** Jenny Baker, Abbott Laboratories, Chicago, IL; Jeff Holdvogt, McDermott Will & Emery LLP, Chicago, IL; Will Hansen, The ERISA Industry Committee, Washington, DC; J. Mark Iwry, Brookings Institute, Washington, DC; Aliyah Wong, US Chamber of Commerce, Washington, DC (Invited)

3:00pm  Break.

3:15pm  **The Wellness Program Wild, Wild West.** Although wellness programs have become increasingly regulated over the years, it is the absence of regulations for the upcoming 2019 plan year that is bedeviling wellness program sponsors. The judicial rejection of the Equal Employment Opportunity Commission’s regulation purporting to define voluntariness under the Americans with Disabilities Act and the Genetic Information Nondiscrimination Act coupled with the likely absence of EEOC guidance regarding voluntariness until 2021, is causing wellness program sponsors to reconsider incentives for health risk assessments and to proceed cautiously with medical examinations for the 2019 plan year. Never fear, this panel is here! Our panelists will discuss strategies for surviving (and thriving!) during the Wellness Program Wild, Wild, West.

**Moderator:** Erin M. Sweeney, Miller & Chevalier Chartered, Washington, DC

**Panelists:** Audrey A. Browne, Browne Legal Consulting PLLC, Brooklyn, NY; Linda R. Mendel, Vorys Sater Seymour and Pease LLP, Columbus, OH; Alan Tawshunsky, Tawshunsky Law Firm PLLC, Washington, DC

4:15pm  **Department of the Treasury, Internal Revenue Service, Department of Labor, Employee Benefits Security Administration and Pension Benefit Guaranty Corporation Hot Topics.** Representatives from the Department of the Treasury, Internal Revenue Service, Department of Labor and Pension Benefit Guaranty Corporation will provide updates on the latest guidance and developments affecting employee plans.

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

**Panelists:** Jeanne Klinefelter Wilson, Deputy Assistant Secretary for Policy, Employee Benefits Security Administration, Department of Labor, Washington, DC (Invited); John Menke, Assistant General Counsel, Pension Benefit Guaranty Corporation, Washington, DC (Invited)
5:15pm  Treasury / IRS Fireside Chat. Informal “town hall” discussion with Department of Treasury and IRS representatives on topics of interest to attendees.

6:15pm  Cash Bar

2:00PM – 3:00PM  Strand 7, Level 2

Estate & Gift Taxes and Fiduciary Income Tax Young Lawyers Subcommittee

Estate & Gift Tax Chairs: George D. Karibianian, Franklin Karibianian & Law PLLC, Boca Raton, Florida/Washington, DC; Hannah W. Mensch, Ehrenkranz Partners, New York, NY

Fiduciary Income Tax Chair: Stacey Delich-Gould, Capital Group Private Client Services, New York, NY

2:00pm  Defending Tax Reduction Strategies in the Court of Public Opinion. This panel will lead a group discussion about the types of transactions that estate planners engage in on a daily basis and how such transactions are perceived by clients and the public.

Panelists: Francisco Garcia, Henderson Caverly & Pum LLP, San Diego, CA; Diana Meyers, Northern Trust, Jackson, WY

2:00PM – 5:15PM  Celestin C, Level 3

State & Local Taxes

Chair: Edward J. Bernert, BakerHostetler, Columbus, OH

2:00pm  Murphy v. NCAA: Implications for State and Local Taxation. In Murphy v. NCAA, the Supreme Court held that Congress could not prohibit states from legalizing sports betting. Commentators have suggested that Murphy’s logic, if taken to its conclusion, calls into question federal limits on state taxing power, such as P.L. 86-272 or 4 U.S.C. 114’s limitation on taxation of non-domiciliary pension distributions. This panel will discuss the anti-commandeering principle that drove the decision, the distinction the Court made between impermissible commandeering and run-of-the-mill preemption, and the implications of that distinction for Congress’s ability to prohibit certain forms of state taxation.

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

Panelists: Professor Brannon P. Denning, Samford University, Cumberland School of Law, Birmingham, AL; Joe Huddleston, EY, Washington, DC

3:00pm  The Next Generation of SALT Issues. Tax principles come and go and sometimes the newest issues in SALT arise from an existing tax application being adapted or redirected to another tax. The next generation of SALT professionals will share developing topics including: the taxation of streaming services, the economic substance doctrine in state and local taxes, and looking ahead in the application of the Texas Franchise (Margin) Tax.

Moderator: Stephanie Lipinski Galland, Williams Mullen, Washington, DC

Panelists: William J. Kolarik II, Kean Miller LLP, Baton Rouge, LA; Nicholas J. Souza, Mondrik & Associates, Austin, TX; Justin B. Stone, Eversheds Sutherland, New York, NY
FRIDAY, JANUARY 18

2:30PM – 5:45PM
Closely Held Businesses  
Chair: Shawn L. McIntire, Velocity Global LLC, Denver, CO

2:30pm  **Real Life Issues Under 199A.** This panel will address various real life issues under Section 199A. Specifically, the panel will discuss actual client questions and concerns regarding the application of Section 199A to particular types of businesses and structures. For example, how do the W2 and UBIA limits apply to a real estate empire with a separate management company? Is the Section 199A deduction available for businesses engaged in the cannabis business? Do service provider clients need to review existing service agreements to maximize their Section 199A deduction?

**Panelists:** Elizabeth Stieff, Venable LLP, Baltimore, MD; Emily Murphy, Plante Moran, Ann Arbor, MI; James Combs, Honigman Miller Schwartz and Cohn LLP, Detroit, MI; Kimberly Arndt, PwC, Washington, DC

4:00pm  **Break.**

4:15pm  **Buy-Sell Agreements for Closely Held Businesses.** This panel will review practical issues and tax considerations when assisting clients with succession planning, and specifically with drafting and putting into place a buy-sell agreement for closely held business owners. The panel will also review valuation issues and funding mechanisms for practitioners to consider.

**Panelists:** Morgan L. Klinzing, Pepper Hamilton LLP, Philadelphia, PA; Adam L. Abrahams, Meyers Hurvitz Abrahams LLC, Rockville, MD; J. Robert Turnipseed, Armbrrecht Jackson LLP, Mobile, AL

2:30PM – 5:45PM  
Court Procedure & Practice  
Chair: Joshua D. Odintz, Baker & McKenzie LLP, Washington, DC

2:30pm  **Current Developments.** This panel will include a report from the Tax Court, discussion of significant IRS guidance and litigation, an update on Tax Division priorities, a report from Treasury, and a discussion of significant pending litigation.

**Moderator:** Jeffrey M. Glassman, Meadows Collier Reed Cousins Crouch & Ungerma LLP, Dallas, TX

**Panelists:** TBD
3:00pm **Employment Tax Litigation.** More than one-third of the country’s workers participate in the gig economy. The gig economy also called the “sharing economy,” is the environment where workers engage in temporary jobs fueled by Smartphone apps and online platforms. The trend has led to an increase in employment tax controversies because many employers treat gig economy workers as independent contractors, as opposed to employees. The tax stakes are high because employers must pay a share of payroll taxes for workers while providing them with the fringe benefits traditionally offered to employees. The gig economy raises other tax issues, including the deductions that can be claimed by taxpayers who hold these jobs. This session will review the life-cycle of an employment tax case from to the SS-8 Program through the Tax Court trial, including settlement programs offered by the IRS to employers and employees and unexpected twists resulting from identity theft and immigration laws that affect worker classification.

*Moderator:* Frank Agostino, Agostino & Associates, Hackensack, NJ  
*Panelists:* Monica Koch, Senior Trial Attorney, Office of Area Counsel, Westbury, NY; Anna C. Tavis, Brooklyn Legal Services Corporation, Brooklyn, NY; Gary M. Slavett, Holtz Slavett & Drabkin, Beverly Hills, CA

4:00pm **Break.**

4:30pm **Navigating Cross-Border Discovery Issues and the GDPR.** At an increasing rate, US practitioners are facing matters, both civil and criminal, where the information they need or the IRS requests is located in a foreign jurisdiction. International audit requests and discovery presents complex and challenging issues for today’s tax litigators. With the Global Data Protection Regulation (GDPR) now in full effect as of May 25, 2018, as well as the data privacy laws of other countries like Mexico, practitioners face additional complications in gathering evidence and disclosing personal data to the IRS. This panel will explore how US discovery rules function outside of the US, the data collection procedures available through the Hague Convention and letters rogatory, obstacles to discovery under various countries’ data privacy laws and statutes, and how the GDPR, which covers data protection and privacy of all individuals within the EU as well as the export of personal data outside the EU, has, and will continue to, impact it all.

*Moderator:* Arielle Borsos, Caplin & Drysdale, Washington, DC  
*Panelists:* Charles E. Hodges II, Jones Day, Atlanta, GA; Polly Sprenger, Katten Muchin Rosenman, London, UK; Joseph A. Rillotta, Drinker Biddle & Reath LLP, Washington, DC; Robert Kovacev, Norton Rose Fulbright, Washington, DC

2:30 PM – 5:45PM

2:30pm **Section 163(j) and BEAT Proposed Regulations.** This panel will discuss issues relating to the proposed regulations under section 163(j) from a financial transactions perspective, including the definition of “interest” for this purpose, and the derivatives provisions of the BEAT.

*Moderator:* Erika Nijenhuis, Cleary Gottlieb Steen & Hamilton LLP, New York, NY  
*Panelist:* Nathan Tasso, Shearman & Sterling LLP, Washington, DC
3:30pm  **Estate of Andrew J. McKelvey v. Commissioner and Other Derivative Transactions.**
This panel will explore the recent decision in *Estate of Andrew J. McKelvey v. Commissioner* where the Second Circuit overturned a Tax Court decision by holding that the modification of variable prepaid forward contracts (VPFCs) resulted in a termination of the original VPFCs. In addition to discussing the court’s reasoning, the panelists will explore the impact of the decision on other issues such as (i) the modification of other derivatives, such as options and swaps, and (ii) the character of any resulting income/deduction/gain/loss.

**Moderator:** Michael Yaghmour, EY, Washington, DC  
**Panelists:** Kristen Garry, Shearman & Sterling LLP, Washington, DC; Christina Lizza, PwC, Washington, DC

4:30pm  Break.

4:45pm  **The Role of Financial Instruments in a Cross-Border Context.** This panel will consider financial instruments and transactions in a post-tax-reform world, including topics such as the scope of the hybrid provisions under sections 245A(e) and 267A, opportunities and issues under GILTI, and the placement of leverage and hedges in multi-national groups.

**Moderator:** Pamela Endreny, Skadden Arps Slate Meagher & Flom LLP, New York, NY  
**Panelists:** John Bates, Deloitte Tax LLP, Washington, DC; Aaron Junge, PwC, Washington, DC

2:30PM – 4:30PM  Foreign Lawyers Forum  
Tech: Empire B, Level 2  
Chair: Laura Gould, Reed Smith LLP, London, UK

2:30pm  **Holding Companies – What to Do After BEPS and US Tax Reform?** Hold on to your hats - 2019 is set to be yet another eventful year in the world of international tax! With various EU anti-avoidance measures under ATAD already in force, revised bilateral tax treaties modified by the MLI coming into force in certain jurisdictions and not forgetting the UK’s imminent departure from the EU, there is much for US multinational enterprises and investment firms to be mindful of. Set against this ever-changing political and tax landscape, this panel will guide you through the impact BEPS and US tax reform is having on international holding company structures in practice. Using case studies, the panel will discuss the impact that CFC rules, anti-hybrid rules, interest deductibility limitations and the introduction of a principal purpose test in many bilateral tax treaties will have on holding company structures. The panel will address how these measures overlap with BEAT, GILTI, FDII, the US interest limitation rules and other proposals introduced by the 2017 Tax Act. The panelists will also consider the benefits of, and what the future may hold for, international holding companies.

**Moderator:** Danielle Rolfes, KPMG, Washington, DC  
**Panelists:** Gareth Amdor, Reed Smith LLP, London, UK; Nina Kielman, NautaDutilh, Amsterdam, The Netherlands; Vincent van der Lans, Loyens & Loeff, New York, NY; Himanshu Sinha, Trilegal, New Delhi, India; James Somerville, A&L Goodbody, Dublin, Ireland
2:30PM – 5:45PM
Insurance Companies

Chairs: Ann Cammack, EY, Washington, DC; Sheryl Flum, KPMG, Washington, DC

2:30pm **Update on Insurance Company Tax.** This panel will discuss current issues related to determining taxable income for life and non-life insurance companies. Panelists will focus on the impact of the 2017 Tax Act.

**Moderator:** Sheryl Flum, KPMG LLP, Washington, DC

**Panelists:** Julie Gackenbach, Confrere Strategies, Washington, DC; Mark Smith, PwC, Washington, DC

3:30pm **Investment Tax Issues for Insurance Companies.** This panel will review changes to the taxation of investments made by the 2017 Tax Act and how these changes impact insurance companies.

**Moderator:** Graham Green, Eversheds Sutherland (US) LLP, Washington, DC

**Panelists:** Jean Baxley, Deloitte LLP, Washington, DC; Roger Wise, Willkie Farr & Gallagher LLP, Washington, DC; Michael A. Mingolelli Jr., Winged Keel Group, Boston, MA

4:30pm Break.

4:45pm **BEAT and GILTI Issues for Insurance Companies.** This panel will discuss the latest guidance related to the application of BEAT and GILTI to insurance companies.

**Moderator:** Ted Clabault, EY, Washington, DC

**Panelists:** Clarissa Potter, KPMG LLP, New York, NY; Kriss Rizzolo, Eversheds Sutherland (US) LLP, New York, NY

2:30PM – 5:45PM
Partnerships & LLCs

**Chair:** Jennifer Alexander, Deloitte Tax LLP, Washington, DC

2:30pm **What You Need to Know About the Recent Guidance Issued Under the 2017 Tax Act.** This panel will provide an overview of recently enacted rules in the areas of domestic and international partnership taxation under the 2017 Tax Act, focusing on guidance issued under these rules.

**Moderator:** Jose Carrasco, Grant Thornton LLP, Washington, DC

**Panelists:** Sam Kamyans, Baker McKenzie LLP, Washington, DC; Nancy Langdon, PwC, Washington, DC

3:15pm **How the Recent Guidance Issued Under the 2017 Tax Act Has Impacted Transactions.** This panel will apply the rules discussed in the first panel to domestic and international fact patterns, highlighting structural opportunities and issues.

**Moderator:** Dana Trier, Davis Polk & Wardwell LLP, New York, NY

**Panelists:** Bahar Schippel, Snell & Wilmer LLP, Phoenix, AZ; David H. Schnabel, Davis Polk & Wardwell LLP, New York, NY; Diana Doyle, Latham & Watkins LLP, Chicago, IL; Ari Berk, Deloitte Tax LLP, Washington, DC
FRIDAY, JANUARY 18

4:00pm  Break.

4:15pm  How the Recent Guidance Issued Under the 2017 Tax Act Has Impacted Transactions (Cont’d). This panel will apply the rules discussed in the first panel to domestic and international fact patterns, highlighting structural opportunities and issues.
Moderator: Dana Trier, Davis Polk & Wardwell LLP, New York, NY
Panelists: Bahar Schippel, Snell & Wilmer LLP, Phoenix, AZ; David H. Schnabel, Davis Polk & Wardwell LLP, New York, NY; Diana Doyle, Latham & Watkins LLP, Chicago, IL; Ari Berk, Deloitte Tax LLP, Washington, DC

2:30PM – 6:00PM  Strand 2, Level 2
Public Service Fellowship (Executive Session)

2:30PM – 5:45PM  Celestin GH, Level 3
Tax Accounting
Chair: David Strong, Crowe LLP, Grand Rapids, MI

2:30pm  Current Developments. This panel will review recent developments in the area of tax accounting since the Section of Taxation meeting held in Atlanta in October. The panel will also discuss ongoing projects and anticipated guidance, with commentary and input from our guests from the Internal Revenue Service and Department of Treasury.
Moderator: Stanley Barsky, Fox Rothschild LLP, New York, NY
Panelists: David Schneider, Skadden Arp Slate Meagher & Flom LLP, Washington DC; Dana Flynn, PwC, New York, NY

3:15pm  Inventory – Hot Topics. This panel will review issued and pending guidance in the area of inventory accounting. The primary focus will be a discussion of the final negative additional section 263A regulations. The panel will also discuss ongoing projects and anticipated guidance, with commentary and input from our guests from the Internal Revenue Service and Department of Treasury.
Moderator: Scott Rabinowitz, Skadden Arp Slate Meagher & Flom LLP, Washington, DC
Panelists: Les Schneider, Ivins Phillips & Barker, Washington, DC; Kari Peterson, PwC, Atlanta, GA

4:00pm  Break.

4:15pm  Accounting Methods – Hot Topics. This panel will review the issues and opportunities related to filing accounting method changes for the upcoming 2018/2019 filing season. Topics will include discussions of accounting method changes stemming from the change in law under the 2017 Tax Act including the evaluation of accounting method implications and procedural considerations.
Moderator: Ryan Corcoran, RSM US LLP, Madison, WI
Panelists: Connie Cheng, BDO LLP, Los Angeles, CA; Scott Mackay, EY, Washington, DC
5:00pm  **Section 451 and Revenue Recognition.** This panel will continue to build upon previous revenue recognition panels in light of the changes in law due to the enactment of the 2017 Tax Act and the interaction with the rules under ASC 606. This panel will discuss recently released guidance and discuss ongoing projects and anticipated guidance, with commentary and input from our guests from the Internal Revenue Service and Department of Treasury.

**Moderator:** Christine Turgeon, PwC, New York, NY

**Panelists:** Sharon Kay, Grant Thornton LLP, Washington DC; Carol Conjura, KPMG, Washington, DC

2:30PM – 5:45PM

**Tax Collection, Bankruptcy & Workouts**

**Chair:** Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

2:30pm  **Bankruptcy Update.** Decisions involving tax claims and bankruptcy over the last year as reviewed in the super blog, “Procedurally Taxing,” will be discussed by Professor Fogg and the author of CCH’s digital bankruptcy book, Ken Weil. This presentation will make you the best informed controversy person in the room – you have the wild card and a courtroom – Bankruptcy Code trumps the Internal Revenue Code.

**Moderator:** Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

**Panelists:** Professor T. Keith Fogg, Harvard Law School, Jamaica Plain, MA; Kenneth C. Weil, Law Office of Kenneth C. Weil, Seattle, WA

3:10pm  **Recent Developments in Tax Collection Litigation.** A review of how the Tax Court treated taxpayers contesting adverse CDP hearings over the past year, and updates on the burden of proof, how the Tax Court views its role in reviewing the record during the CDP hearing, and more.

**Moderator:** Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

**Panelists:** Eli S. Noff, Frost & Associates LLC, Columbia, MD; Wm. Robert Pope, White & Reasor, Nashville, TN

3:50pm  **IRS Collection Programs and Objectives in 2019.** A discussion, led by the Director of Field Collection, that will provide an update on IRS enforcement efforts within the collection division, including imminent hiring, additional training, and plans to pursue nonpayment of employment taxes. The panelists will also discuss suits and fraud referred by revenue officers and what to expect now that the IRS is certifying tax debts to the State Department to revoke taxpayers’ passports.

**Moderator:** Christin Bucci, Bucci Law Offices, Fort Lauderdale, FL

**Panelists:** Eli S. Noff, Frost & Associates LLC, Columbia, MD; Wm. Robert Pope, White & Reasor, Nashville, TN

4:30pm  **Break.**

4:45pm  **Update on Corporate Debt Restructurings.** Large corporate bankruptcies are back in the news. Sears and other large retailers have recently filed. With increases in interest rates, the phenomenon could hit other industries. The panel will discuss existing tax rules that are relevant to corporate bankruptcies and debt workouts, such as the cancellation of debt (COD) rules. Also to be discussed are the limitations on the use...
of net operating losses (NOLs) (section 382 and the new 80% limit introduced by the 2017 Tax Act). In addition, recent cases on the ownership of an NOL carryback (e.g., Rodriguez v. FDIC) will be discussed.

**Moderator:** Lee G. Zimet, Alvarez and Marsal Taxand LLC, Morristown, NJ  
**Panelist:** The Honorable Mark S. Wallace, Judge, U.S. Bankruptcy Court for the Central District of California, Santa Ana, CA; Patrick Hoehne, Alvarez and Marsal Taxand LLC, San Francisco, CA

**2:30PM – 5:45PM**  
**Tax Exempt Financing**  
**Chair:** Todd Cooper, Locke Lord LLP, Cincinnati, OH

- **2:30pm** *Legislative, Treasury and Internal Revenue Service Update.* This panel will discuss new legislative initiatives that might affect tax exempt financing, the TEFRA regs, the reissuance regs, the Committee’s remedial action comments, the Chief Counsel Memorandum on a tax exempt advance refunding of a taxable bond, PLR 201847001 and “floating equity” for exempt facility bonds, the IRS Snapshot on Federal Use of Tax-Exempt Financed Prison Facilities, the IRS Snapshot on Private Business use and Management Contracts, the overlap of Opportunity Zones and tax exempt finance, Savidge v. U.S., and other guidance and new developments in the tax exempt bond area.
  
  **Moderator:** Todd L. Cooper, Locke Lord LLP, Cincinnati, OH  
  **Panelist:** Mark O. Norell, Ballard Spahr LLP, New York, NY

- **3:30pm** Break.

- **3:45pm** *A Deep Dive into Tax Increment Financing.* This panel will extensively explore the private use, private payment, and private loan analysis of a tax exempt tax increment financing (TIF) across a spectrum of TIF fact patterns, including: a review of the basic rules, the special rules for PILOTs, the impermissible agreement rules, the overlap between a TIF and a special assessment, expenditure rules, unrelated and disproportionate use rules, and the anti-abuse rules. Fact patterns to be discussed include: a TIF with a grant to the developer, variations on Development Agreements, developer ownership of the bonds, residual rights of the developer in the tax payment stream, multiple projects, and multiple grants.
  
  **Moderator:** Chas Cardall, Orrick Herrington & Sutcliffe, San Francisco, CA  
  **Panelists:** Kimberly C. Betterton, Ballard Spahr LLP, Baltimore, MD; Matthias Edrich, Kutak Rock LLP, Denver, CO
3:00PM – 5:00PM

Diversity Chair: Lany L. Villalobos, Dechert LLP, Philadelphia, PA

3:00pm **Investing in Positive Social Impact.** Can investments generate both business and social returns? Can tax credits be used to promote community development? This panel will discuss the use of tax policy to influence societal behaviors and community planning. The panelists will provide an overview of impact investing, which directs capital to enterprises that generate social and environmental benefits, and its implications on charitable giving. The panelists will also discuss the use in New Orleans of various tax credits to pursue community planning and its impact on local communities.

*Moderator:* Valerie Vlasenko, Agostino & Associates, Hackensack, NJ

*Panelists:* Professor Khrista McCarden, Tulane University Law School, New Orleans, LA; Dr. Marla Nelson, University of New Orleans, New Orleans, LA; Hannah Adams, Southeast Louisiana Legal Services, New Orleans, LA

4:00pm **Avoiding Tax Litigation Through Financial Analysis: Tips for Advocating for Your Client’s Ability To Pay.** After an assessment, taxpayers may provide the Internal Revenue Service with financial information about their ability to pay in order to avoid a levy or Notice of Federal Tax Lien. The panelists will provide an overview of when a Collection Information Statement is required, address the challenges that arise in preparing a Collection Information Statement, and discuss practical tips in gathering the necessary documentation to substantiate income and expenses to provide an accurate representation of a taxpayer’s ability to pay.

*Moderator:* Catherine Sullivan, Law Clerk, US Tax Court, Washington, DC

*Panelists:* Professor Patrick Thomas, University of Notre Dame Law School, South Bend, IN; Michael Wallace, Agostino & Associates, Hackensack, NJ

3:00PM – 4:30PM

Teaching Taxation Chair: Professor Kerry Ryan, Saint Louis University, Saint Louis, MO

3:00pm **Tax Advice in the Age of the 24-Hour News Cycle.** Recent instances of exposure by the press of aggressive tax planning and tax avoidance by prominent businesses, individuals or families raise unique substantive, ethical, and other legal issues for the tax community. Practitioners advising famous clients may need to assess not only the likelihood of future examinations, but also public disclosure due to whistleblowers, cooperators, and data leaks. Reporters investigating past tax compliance may recruit tax professionals for technical assistance and expertise to uncover suspect transactions, unreported income, or improper deductions or credits. The release of such information, and related commentary from various media outlets, may pressure Federal and state tax authorities, law enforcement officials, or regulators to open audits or investigations that could result in substantial tax adjustments and/or various civil and criminal penalties. This panel will explore these issues from a variety of perspectives.

*Moderator:* Professor Lee-Ford Tritt, University of Florida, Gainesville, FL

*Panelists:* David Cay Johnston, DCEReport.org, Rochester, NY; Caroline D. Ciraolo, Kostelanetz & Fink LLP, Washington, DC; Michael H. Plowgian, KPMG LLP, Washington, DC; Professor Michael Lang, Chapman University, Orange, CA
PROGRAM SCHEDULE
FRIDAY, JANUARY 18

4:00PM – 5:30PM  Strand 7, Level 2
Young Lawyers Forum ★
Chair: Micah Gibson, PwC, Washington, DC
4:00pm  IDR vs. FDRs – IRS Tools to Discover Taxpayer Documents at Home and Abroad.
★ This panel will explore the rules and procedures the IRS uses to collect relevant taxpayer materials, as well as potential strategies for taxpayers in exam and future litigation to respond to such efforts by the IRS. This panel will specifically address the use of Information Document Requests and Formal Document Requests and their respective implications in civil proceedings.
Moderator: Annie M. Wurtzebach, DLA Piper LLP, New York, NY

4:30PM – 5:30PM  Foster 2, Level 2
Publications ★

5:30PM – 6:30PM  Strand 3, Level 2
Foreign Activities of US Taxpayers Business Meeting ★

5:30PM – 6:30PM  Strand 11A, Level 2
Foreign Lawyers Forum Business Meeting ★

5:30PM – 6:30PM  Strand 8, Level 2
Transfer Pricing Business Meeting ★

5:45PM – 6:30PM  Foster 1, Level 2
US Activities of Foreigners & Tax Treaties Business Meeting ★

6:30PM – 8:00PM  Empire B, Level 2
Section Reception (Ticketed Event)
(Hosted by the Diversity Committee and Young Lawyers Forum)

8:00PM – 10:00PM  (Reservations Required)
Joint International Committees Dinner (Reservations Required)
7:15AM – 8:30AM
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
ACTC Fellows Breakfast & Roundtable Discussion (ACTC Fellows Only)

7:30AM – 8:30AM
Tax Practice Management and Young Lawyers Forum ★
Tax Practice Management Chair: Roger Royse, Royse Law Firm, Menlo Park, CA
Young Lawyers Forum Chair: Micah Gibson, PwC, Washington, DC

7:30am  Advice for the 21st Century Tax Lawyer. ★ This joint panel of the Young Tax Lawyers and Tax Practice Management Committees brings together leading tax practitioners to discuss lessons they have learned along the way as well as what it takes to succeed in the current tax and legal environment. Our panel will share their personal stories and relate their experiences to the future of tax law practice.
Moderator: Carina Federico, Crowell & Moring LLP, Washington, DC
Panelists: Catherine Engell, Bracewell LLP, New York, NY; Frank Jackson, Jones Day, New York, NY

7:45AM – 9:00AM
Court Procedure & Practice Committee Breakfast (Ticketed Event)

8:15AM – 11:45AM
Pro Bono & Tax Clinics ★
Chair: Susan Morgenstern, IRS Taxpayer Advocate Service, Cleveland, OH

8:15am Current Developments. This session will review current developments and topics of immediate interest to individual and pro bono representation including IRS regulations, Tax Court rulings, and upcoming items of focus for the IRS related to low-income taxpayer representation.

8:30am Disability Severance Pay Refund Claims by Veterans. More than 130,000 US military veterans who were separated from service because of a medical disability are due federal income tax refunds for taxes they paid on Disability Severance Pay (DSP) that should not have been taxed. For those veterans who had taxes withheld from their DSP between 1991 and 2016, the Combat-Injured Veterans Tax Fairness Act of 2016 extends the period for affected veterans to file a claim for credit or refund of overpayments attributable to their DSP. A key aspect to these DSP refund claims is the required timeframes veterans have for filing claims: most veterans will need to file their claims within one year of July 2018 when letters were mailed. This panel will explain the claims process, issues associated with the claims, and other issues specific to veterans.
Moderator: Sarah Lora, Legal Aid Services of Oregon, Portland, OR
Panelists: David Sams, Community Tax Law Project, Richmond, VA; Wells Hall III, Nelson Mullins Riley & Scarborough LLP, Charlotte, NC
Co-sponsored by: Individual & Family Tax
9:30am **Administrative Burden and Taxpayer Compliance: How to Improve the Taxpayer Experience.** Administrative burden is a key variable in how citizens experience interactions with the state. Research from other disciplines has defined administrative burden and explored differing aspects of how those burdens affect people, including learning, psychological and compliance costs. In this panel we will explore the research around administrative burden more generally, consider its application in interactions with the IRS and taxpayers, including in the audit process, and offer suggestions on how IRS could reduce the incidence of these burdens on taxpayers, especially lower income taxpayers who are often least equipped to overcome those burdens. This is the second part of a two-part panel co-sponsored with the Individual & Family Tax Committee exploring burdens in the filing and compliance process.

**Moderator:** Professor Christine Speidel, Charles Widger School of Law, Villanova University, Villanova, PA

**Panelists:** Professor Donald Moynihan, McCourt School of Public Policy, Georgetown University, Washington, DC and Visiting Professor, Oxford University, Oxford England; Professor Leslie Book, Charles Widger School of Law, Villanova University, Villanova, PA; Anna Tavis, Brooklyn Legal Services NYC, Brooklyn, NY

**Co-sponsored by:** Individual & Family Tax

10:00am **Break.**

10:45am **Winner! Winner! Chicken Dinner! Living the Gaming Life.** This panel will explore two different perspectives on the gambling industry: tax issues faced by those who gamble in casinos, and tax issues faced by those who make their living in the casino service industry. We will explore the tax treatment of winnings and losses for both amateur and professional gamblers including how to handle winnings and losses in an audit. We will also delve into tip income in the context of casino tip rate determination agreements and how to handle deemed tip income.

**Moderator:** Anastasia Kolosova, Accounting Aid Society, Detroit, MI

**Panelists:** The Honorable Peter J. Panuthos, Special Trial Judge, US Tax Court, Washington, DC; Professor Kathryn Sedo, University of Minnesota Law School, Minneapolis, MN; Frank Agostino, Agostino & Associates PC Hackensack, NJ; Phillip Colasanto, Agostino & Associates PC, Hackensack, NJ

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**8:30AM – 11:45AM**

**Corporate Tax**

**Chair:** Steve Fattman, EY, Washington, DC

8:30am **The Ghost of Kimbell-Diamond: Application of the Step Transaction Doctrine to Multi-Step Corporate Transactions.** This panel will explore acquisition and restructuring techniques involving multi-step transactions, including *Kimbell-Diamond* transactions, reverse *Kimbell-Diamond* transactions, outbound transactions, and mergers with partnerships.

**Moderator:** Jerred Blanchard, Baker & McKenzie, Houston, TX

**Panelists:** Marc Countryman, EY, San Francisco, CA; Sara Zablotney, Kirkland & Ellis, Chicago, IL; Lisa Fuller, Deputy Associate Chief Counsel (Corporate), IRS, Washington, DC
10:00am  Break.

10:15am  Current Developments in Corporate Tax. This panel will review current developments in corporate tax, including anticipated guidance related to provisions from the 2017 Tax Act. In particular, the panel expects to discuss anticipated proposed regulations under section 163(j) and the interaction of the BEAT and the subchapter C nonrecognition provisions. In addition, the panel will discuss recent PLRs in the corporate tax area.
Moderator: Jonathan Forrest, Deloitte Tax LLP, Washington, DC

8:30AM – 11:45AM  Employee Benefits

8:30am  Lessons for 401(k) Plans from the University 403(b) Cases. This panel will discuss recent developments in university 403(b) plan litigation and the potential impact on the operation of 401(k) and other self-directed defined contribution plans.
Moderator: Don Wellington, Reed Smith LLP, Los Angeles, CA
Panelists: Blake C. MacKay, Alston & Bird LLP, Atlanta, GA; Sara Pikofsky, Steptoe & Johnson LLP, Washington, DC; Robert Rachal, Holifield Janich Rachal & Ferrera PLLC, New Orleans, LA

9:30am  Break.

9:45am  Round the World in 60 Minutes: Current Issues and Updates for Global Equity Programs. In today's world it is typical for US companies to make equity grants to employees worldwide. However, global equity programs can be risky enterprises if the issuing company does not consider the myriad issues associated with global programs – tax, securities law, labor, data privacy and currency control rules all can come into play, and the rules vary from jurisdiction to jurisdiction and may change in any jurisdiction with little or no notice. This session will cover topics of current interest in this complex area.
Moderator: Martha N. Steinman, Hogan Lovells US LLP, New York, NY
Panelists: Mark Jones, Pillsbury Winthrop Shaw Pittman, San Francisco, CA; Margaret (Meg) McIntyre, Hogan Lovells US LLP, Washington, DC

10:45am  Ethics Panel. This panel will discuss lawyer wellness issues, lawyers use of social media and list serves, lawyers hiring service providers to do compliance work on behalf of clients, employee benefit plan committee meeting minutes and client communications.
Moderator: Bret Hamlin, Hill Ward Henderson, Tampa, FL
Panelists: Tracy L. Kepler, Director, Center for Professional Responsibility, American Bar Association, Chicago, IL; Charles B. Plattsmeier, Chief Disciplinary Counsel, Office of the Disciplinary Counsel, Baton Rouge, LA; John L. Utz, Utz & Lattan LLC, Overland Park, KS
8:30AM – 11:45AM

Fiduciary Income Tax

**Panelists**: Catherine V. Hughes, Office of Tax Policy, Department of Treasury, Washington, DC; Anna Katherine (AK) Moody, Venable LLP, Washington, DC; Emily A. Plocki, Venable LLP, Washington, DC

8:30am **Current Developments.** AK and Emily will review current developments in fiduciary income tax and Cathy Hughes will update the committee on developments within the Treasury and the Service.

8:30am **Trust Planning Opportunities Under Section 1202.** Section 1202 provides an incentive for taxpayers to invest in many types of small businesses by providing that some or all of the gains resulting from the sale of qualified small business stock can be realized tax-free. Jeff and Liz will discuss ways in which trusts may take advantage of section 1202 in light of the decreased corporate income tax rate enacted by the 2017 Tax Act.

9:00am **Break.**

9:50am **Alimony, Prenuptial Agreements and Trusts Under the 2017 Tax Act.** As with many large tax overhauls, sometimes lesser publicized changes also have a significant impact on taxpayers. With the 2017 Tax Act, some of these lesser publicized changes involve the income tax impact of divorce, which, in 2019 and beyond, will have far-reaching effects as a result of the elimination of alimony as an income/deduction item and the post-divorce continued grantor trust status of certain spousal trusts.

10:05am **State Fiduciary Income Tax Developments.** This panel will review the treatment of the state income taxation of trusts that has been evolving recently. The recent Supreme Court decision in Wayfair impacted state and local tax fundamentals and restrained the application in Quill, and the current request for certiorari to the Supreme Court in Kaestner has heightened practitioners’ awareness. The recent Minnesota Supreme Court case of Fielding expands the nexus shifting ability of trusts and their founders. These 2018 fiduciary income tax cases have further challenged a state’s ability to tax a trust for state residency purposes and alerted practitioners advising trusts in other states to evaluate the constitutional basis regarding state taxation of trusts.

**Panelists**: George D. Karibjanian, Franklin Karibjanian & Law PLLC, Boca Raton, FL/ Washington, DC; Bri Loughlin, Winstead PC, Houston, TX

8:30AM – 10:30AM

LLCs and LLPs Subcommittee of Partnerships & LLCs

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

8:30am **Partnership Issues Associated With Opportunity Zone Investing.**

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

**Panelists**: Richard Blumenreich, KPMG, Washington, DC; Tom Boman, Novogradac & Company PC., St. Louis, MO; Lisa Starczewski, Buchanan Ingersoll & Rooney PC, Washington, DC

**= Taped  ★ = Young Lawyers Program  ¤ = Ethics Credits Requested  = No CLE Credit**
8:30AM – 11:45AM
Sales, Exchanges & Basis ★
Chair: Glenn M. Johnson, EY, Washington, DC

8:30am  Current Developments Relating to Sales, Exchanges & Basis. ★ Panelists review recent case law and guidance on traditional sale, exchange, and basis issues, and section 1031 developments.
Panelists: David Shechtman, Drinker Biddle & Reath LLP, Philadelphia, PA; John Wagner, Williams Parker Harrison Dietz & Getzen, Sarasota, FL

9:10am  Where are the Opportunities in Qualified Opportunity Funds? Panelists will review the use of qualified opportunity funds in view of proposed regulations, and identify key questions that await future guidance.
Moderator: Alan S. Lederman, Gunster, Fort Lauderdale, FL
Panelists: Matthew E. Rappaport, Falcon Rappaport & Berkman PLLC, New York, NY

10:00am  Break.

10:15am  US Shareholder Basis in Foreign Corporations Post-Tax Reform. Following Tax Reform, US Shareholders of foreign corporations (as defined under section 951(b) face myriad issues regarding calculating basis of foreign corporations and its effect on their overall tax liability. The lack of clarity regarding how to calculate basis and adjustments thereto has become all the more pronounced over the past year. This panel will provide an overview of some of the most important aspects of Tax Reform’s effects on the basis of foreign corporations owned by US Shareholders, including the election to adjust bases due to the use of deficits to offset income inclusions from DFICs under 965 and 245A’s interrelationship with basis adjustments, 964, and 1248. Most important, however, this panel will take a deeper dive into 961 and 959 post-Tax Reform, including issues such as PTI in 959(c)(2) without corresponding basis, the ordering rules related to layers of PTI in the same 959(c) “bucket” for distributions, unresolved issues under the 959 and 961 regulations (including 304 transactions), Notice 2019-1, and the proposed regulations promised by the IRS relating to 959 and 961 if they have been released prior to the panel.
Moderator: Rafi Mottahedeh, Cargill, Minneapolis, MN
Panelists: Daniel Reach, Alston & Bird, Charlotte, NC; John Bates, Deloitte Tax LLP, Washington, DC

8:30AM – 10:30AM
State & Local Taxes Practitioners’ Roundtable ★ (Executive Session)
Moderator: Mark E. Holcomb, Dean Mead & Dunbar, Tallahassee, FL
8:45AM – 12:00PM  
Civil & Criminal Tax Penalties ★★  
Chair: Niles A. Elber, Caplin & Drysdale, Washington, DC

8:45am  Reports of Subcommittees on Important Developments.  
Important Developments (Civil) – Sara G. Neill and Michelle F. Schwerin, Capes Sokol PC, St. Louis, MO;  
Important Developments (Criminal) – Evan J. Davis, Hochman Salkin Rettig Toscher & Perez PC, Beverly Hills, CA;  
International Tax Enforcement – Bruce Zagaris, Berliner Corcoran & Rowe LLP, Washington, DC and Joseph M. Erwin, Dallas, TX;  
IRS Investigations and Practices – Michael A. Villa Jr., Meadows Collier Reed Cousins Crouch & Ungerman LLP, Dallas, TX and Eric L. Green, Green & Sklarz LLC, New Haven, CT;  
Legislative and Administrative Developments – Brian C. McManus, Latham & Watkins LLP, Boston, MA and Robert J. Kovacev, Steptoe & Johnson, Washington, DC;  
Monetary Violations and Forfeitures – Joseph A. Rillotta, Drinker Biddle & Reath LLP, Washington, DC;  
Offshore Compliance and Enforcement – Zhanna A. Ziering, Caplin & Drysdale Chtd, New York, NY and Michael Sardar, Kostelanetz & Fink LLP, New York, NY;  
Sentencing Guidelines – Matthew C. Hicks, Caplin & Drysdale Chtd, Washington, DC and Jeffrey A. Neiman, Marcus Neiman & Rashbaum, Fort Lauderdale, FL

9:45am  Break. ⏰

10:00am  Obtaining a Declination of a Criminal Tax Case.  
Every indicted criminal tax case has survived multiple rounds of review within the IRS, the Department of Justice Tax Division and, often, the local US Attorney’s office. A key aspect of defending a criminal tax case is figuring out how to put the brakes on a prosecution before it formally begins by taking advantage of the opportunities to obtain a declination. This panel will cover strategies for making the most of each conference opportunity, including the motivations of each government stakeholder, and the considerations involved in deciding how much of the potential trial defense to reveal at each stage.  
Moderator: Nathan Hochman, Morgan Lewis & Bockius LLP, Los Angeles, CA  
Panelists: Jordan Ginsberg, Assistant U.S. Attorney, Eastern District of Louisiana, New Orleans, LA

When an employer makes an error on its employment tax returns that error may have tax and penalty consequences for both the employer and its employees. There are a wide range of issues an employer must consider when amending its employment tax filings. This panel will discuss the range of civil penalties applicable to employment tax filings, tips for avoiding penalties and interest when filing amended employment tax returns, ethical issues that arise when employment tax errors are identified, and best practices for communicating with affected employees.  
Moderator: Brian C. McManus, Latham & Watkins LLP, Boston, MA  
Panelists: Megan Marlin, PwC, Washington, DC; Steven P. Johnson, Morgan Lewis, Washington, DC
PROGRAM SCHEDULE
SATURDAY, JANUARY 19

10:30AM – 11:00AM
State & Local Taxes Publications Subcommittees
Strand 10AB, Level 2

11:00AM – 12:00PM
State & Local Taxes Vice Chairs’ Planning Meeting *(Executive Session)*
Strand 10AB, Level 2

12:00PM – 1:30PM
Section Luncheon & Plenary Session *(Ticketed Event)*
Empire B, Level 2


Richard Rubin is the US tax policy reporter for The Wall Street Journal in Washington, focusing on the intersection of taxes, politics and economics. He was the Journal’s lead reporter on the development of the 2017 Tax Act and continues to cover the impact of the law. Before joining the Journal in 2015, he covered tax policy for Bloomberg News and Congressional Quarterly. He also wrote about local government and transportation policy for The Charlotte Observer. He is a native of New Jersey and a graduate of Duke University.

2:00PM – 5:15PM
Current Developments in Individual, Corporate, Partnership, and Estate & Gift Taxation
Sponsored by: Teaching Taxation
Empire C, Level 2

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.
This program will include a 15 minute break from 3:30pm - 3:45pm.
Moderator: Professor Bruce A. McGovern, South Texas College of Law Houston, Houston, TX
Panelists: Professor Elaine Hightower Gagliardi, University of Montana School of Law, Missoula, MT; Professor Philip Hackney, University of Pittsburgh School of Law, Pittsburgh, PA
AMERICAN COLLEGE OF TAX COUNSEL

FRIDAY, JANUARY 18

7:30AM – 9:00AM  
ACTC Board of Regents Meeting (Executive Session)  
Foster 2, Level 2

SATURDAY, JANUARY 19

7:30AM – 8:30AM  
ACTC Fellows Breakfast and Roundtable Discussion (ACTC Fellows Only)  
Strand 13AB, Level 2

5:00PM – 5:30PM  
ACTC Annual Business Meeting (ACTC Fellows Only)  
Empire D, Level 2

5:30PM – 6:30PM  
ACTC 2019 Griswold Lecture (Open Session)  
Empire D, Level 2

7:00PM – 10:00PM  
ACTC Reception and Dinner (ACTC Members and Guests)
MEETING MATERIALS
In the interest of providing the most up-to-date meeting materials for all attendees, materials for the 2019 Midyear Tax Meeting will be available online at www.ambar.org/taxmtgmaterials and via the mobile meeting application (please see page 3 for more information). Complimentary WiFi will be provided throughout the meeting space.

Should you wish to print out any materials, a convenient Print Kiosk station is available located in Empire Foyer, Level 2. Thursday: 12:00pm – 5:00pm; Friday: 7:30am – 5:00pm; Saturday: 7:30am – 2:00pm.

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 credit.

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, 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 https://www.americanbar.org/events-cle/mcle/inpersonevents/ 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.

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.

Recommended CPE Credits and Fields of Study: Program attendees can earn CPE credits in Taxes and Regulatory Ethics fields of study. Prerequisites: Previous experience in tax law; Advanced Preparation: None; Program Level: Intermediate; Delivery Method: Group-Live

CLE INFORMATION BOOTH
The CLE Information Booth, located in Empire Foyer, Level 2, will be open during the following hours:

Thursday 12:00pm – 7:30pm
Friday 8:00am – 6:30pm
Saturday 8:00am – 5:15pm
REGISTRATION
Registration will be available in Empire Foyer, Level 2. All individuals attending any part of the 2019 Midyear Tax 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 11, 2019. Refunds will not be granted at or after the meeting.

MP3 INSTANT DOWNLOADS
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 Empire Foyer, Level 2. After the meeting visit: www.dcprovideronline.com/abatx/ for instant downloads.

20% MEETING DISCOUNT ON SECTION PUBLICATIONS
Stop by the Publications Display, located in Empire Foyer, Level 2 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: PTX19SMID online or call the ABA Service Center at (800) 285-2221 to take advantage of this special discount. Please note that the offer expires January 25, 2019.

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 Section's 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 POLICY
A limited number of scholarships to defray tuition expenses are available for this program. To request a scholarship application, please contact the Tax Section (taxserve@americanbar.org). Scholarship applications must be received no later than 30 days prior to the program. For programs with tuition costs over $500, qualifying attorneys will receive at least a 50% reduction in the registration fee.
Guide to the City: New Orleans, LA
A guide to New Orleans best, including great restaurants, sights to see, and experiences not to be missed, is available at the Conference Registration Desk and at the Concierge Desk. We hope that you enjoy the suggested attractions.

For more information on how to schedule tours and for additional recommendations, you may also contact the concierge team at the Hyatt Regency New Orleans by calling: (504) 561-1234 or by visiting the Concierge Desk located in the Hotel Lobby.

Companions Meeting Point
To make the most of your time in New Orleans, LA, network and gather with fellow companions at the Companion Meeting Point on Friday 7:30am – 9:30am, Empire Foyer, Level 2. All companions are welcome to attend!

Hospitality Center
Complimentary continental breakfast and afternoon snacks will be available to all companions with a name badge in the Hospitality Center. The Hospitality Center will be located in Empire Foyer, Level 2 on Friday and Saturday.

Hospitality Hours:
Friday: AM Break 7:00am – 11:00am / PM Break: 1:30pm – 4:00pm
Saturday (Empire Foyer Only): AM Break 7:00am – 11:00am / PM Break 1:30pm – 4:00pm

Companions Email Discussion List
Another great way to connect is through the companions’ email discussion list. This group email allows companions to connect before the conference and is the best way to receive updates on suggested area attractions for our upcoming meetings. If you are not currently part of the email discussion list and would like to join, please contact taxlserve@americanbar.org.
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The ABA Section of Taxation brings together tax practitioners and students from all over the world to share techniques, best practices and strategies. As a member, you’re connected to a network of over 16,000 members who include high-level government officials, judges, corporate counsel, private practitioners, academia and students engaged in all aspects of tax law, with a wealth of knowledge and experience you can’t find anywhere else!

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