



TULANE TAX INSTITUTE

Sponsored by

Tulane Law School

In Association with

United States Court of Federal Claims

Court of Federal Claims Bar Association

Federal Bar Association

Bringing Washington DC to New Orleans

Wednesday, October 28, 2009

Thursday, October 29, 2009

Friday, October 30, 2009

Westin New Orleans Canal Place

58

58TH

Tulane Tax Institute

Wednesday, October 28, 2009

Thursday, October 29, 2009

Friday, October 30, 2009

Welcome to the 58th Tulane Tax Institute. This year the Institute joins forces with the United States Court of Federal Claims, the Federal Bar Association and the Court of Federal Claims Bar Association to bring you the latest insight into the unique tax policy issues being debated in our nation's capital. In addition to the always informative reviews of new tax statutes, regulations and decisions, the 58th Institute features U.S. Court of Federal Claims judges, and Washington DC policy experts discussing the latest from Capitol Hill.

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Wednesday, October 28, 2009

8:00 – 8:30 **Registration**

8:30 – 9:45 **Recent Developments in the Taxation of Corporations and Shareholders**
Daniel L. Simmons, Professor of Law, University of California Davis, Davis, CA

9:45 – 10:45 **Current Issues in State and Local Taxation - Southeast Region**
Michael H. Lippman, Alvarez & Marsal, LLC, Vienna, VA

10:45 – 11:00 **Break**

11:00 – 12:00 **CONCURRENT SESSION # 1**

1A – S Corporations: Operational Issues

- Built-in gains tax planning and compliance
- Inadvertent/disguised/disproportionate distributions
- Raising capital under TARP

Kevin D. Anderson, BDO Seidman, LLP, Bethesda, MD

1B – Recent Developments and Trends in Louisiana Taxation

- 2009 Legislative acts
- Administrative change
- Recent judicial and administrative decisions

David R. Cassidy, Breazeale Sachse & Wilson, LLP, Baton Rouge, LA

12:00 – 1:30 **Luncheon Presentation**
Current Legislative and Administrative Developments
Eric Solomon, former Assistant Secretary (Tax Policy), U.S. Treasury Department

1:30 – 2:30 **Modification and Cancellation of Debt: Planning and Operational Issues**
Fred Witt, Deloitte Tax, LLP, Phoenix, AZ

2:30 – 3:30 **Current Corporate Reorganization Issues**

- Section 382
- NOL planning
- Bond driven spin offs

Larry Garrett and **Marc Countryman**, Ernst & Young LLP, Washington, DC

3:30 – 3:45 **Break**

3:45 – 4:45 **CONCURRENT SESSION # 2**

2A – Professionalism in Tax Practice

Honorable Jay C. Zainey, United States District Court Eastern Division, New Orleans, LA

2B – Issues in Converting From GAAP to IFRS

Perry Leslie, KPMG, INC, Baton Rouge, LA

Thursday, October 29, 2009

8:30 – 9:45 **Recent Developments in the Taxation of Individuals**
Ira Shepard, Professor of Law, University of Houston Law Center, Houston, TX

9:45 – 10:45 **Selected Hot Topics in Partnership Taxation**

- Compensating partners
- Disguised sales

William Bowers, Fulbright & Jaworski, Dallas, TX

10:45 – 11:00 **Break**

11:00 – 12:00 **Timing Deductions for Losses**

- IRC Section 165, 172
- Timing of loss – closed & complete transactions, claims with reasonable prospect of recovery
- Disaster losses
- Basis limitations

Victoria Sherlock, KPMG, Houston, TX

12:00 – 1:15 **Luncheon Presentation**

Guest Speaker: **Douglas Shulman**, Commissioner, Internal Revenue Service [INVITED]

1:15 – 2:30 **The Latest From Capitol Hill**

This panel explores significant tax legislation and the implications of the Obama Administration's current tax policy initiatives

Honorable Nancy B. Firestone, (*moderator*)

U. S. Court of Federal Claims, Washington DC

Fran Dubrowski, Law Offices of Fran Dubrowski, Washington, DC

John Gimigliano, KPMG, LLP, Washington, DC

Nick Giordano, Ernst & Young, Washington Council Ernst & Young, Washington, DC

Kenneth Thomas, Congressional Research Service, Washington, DC

Floyd Williams, Director, Office of Legislative Affairs, Internal Revenue Service, Washington, DC

2:35 – 3:35 **CONCURRENT SESSION # 3**

3A – Settling a Tax Case With the Government

Panelist discuss the role various government entities play in settling a tax case and ADR

Honorable Marian Blank Horn, (*moderator*) U. S. Court of Federal Claims, Washington DC

Norman Brand, Senior Refund Counsel, Joint Committee on Taxation, Washington, DC

Deborah A. Butler, Associate Chief Counsel, Procedure and Administration, IRS, Washington, DC

Thomas P. Cullinan, Sutherland Asbill & Brennan, LLP, Atlanta, GA

Deborah S. Meland, Chief, Office of Review, Tax Division, Department of Justice, Washington, DC

Jasper G. Taylor, III, Fulbright & Jaworski, Houston, TX

3B – Reconsidering Entity Selection in Uncertain Times

Professor William Streng, University of Houston Law Center, Houston, TX

3:35 – 3:45 **Break**

3:45 – 4:45 **CONCURRENT SESSION # 4**

4A – Ethics and the Federal Tax Practitioner

This session examines legal issues facing the tax practitioner and potential trial witnesses and the prosecution of ethics violations in the United States Court of Federal Claims

Honorable Francis M. Allegra, U. S. Court of Federal Claims, Washington, DC

Steve Csontos, retired Ethics Office, Department of Justice, Alexandria, VA

Christopher S. Rizek, Caplin & Drysdale, Washington, DC

4B – Tax Considerations in Work Force Reduction

Jane Armstrong, Phelps Dunbar, New Orleans, LA

4:45 – 5:15 **Tax Jurisdiction at the United States Court of Federal Claims**

United States Court of Federal Claims judges explain tax jurisdiction of the court and answer your questions

Honorable Emily C. Hewitt, (*moderator*), Chief Judge, U. S. Court of Federal Claims

Honorable Larry M. Block

Honorable Charles F. Lettow

Honorable Christine O. C. Miller

Honorable Thomas C. Wheeler

Steven I. Frahm, Chief, Court of Federal Claims Section, Tax Division, Department of Justice, Washington, DC

Lewis S. Wiener, Sutherland Asbill & Brennan, Washington, DC

5:15 **Meet the Judges Cocktail Reception**

Sponsored by: Fulbright & Jaworski, the Court of Federal Claims Bar Association, & the Federal Bar Association.

Friday, October 30, 2009

8:30 – 9:45 **Recent Developments in Estate and Gift Taxation**

Stanley M. Johanson, Professor of Law, University of Texas School of Law, Austin TX

9:45 – 10:00 **Break**

10:00 – 11:00 **Grantor Trusts:**

Flexible, Effective, But Not Always Certain

Howard Zaritsky, consulting counsel, Rapiden, VA

11:00 – 12:00 **Planning for the Elder Years**

- Wills - what can be directed
- Trusts - who and what to protect
- Long-term care
- Transfer of assets during lifetime

Carole Cukell Neff, Sessions, Fishman, Nathan & Israel, New Orleans, LA

12:00 – 1:15 **Lunch**

1:15 – 2:15 **Charitable Planning: Recent Developments and Pending and Proposed Legislation**

- Increasing Payment CLATs: Solid or Shaky?
- IRS and Senate Finance Committee Governance
- Back to Basics: Strategy for Troubled Times

Jerry McCoy, Law Office of Jerry McCoy, Washington, DC

2:15 – 3:15 **Tax Planning for Unmarried Couples**

Joshua Rubinstein, Katten Muchin Rosenman, New York, NY

3:15 – 4:15 **Plan for Unlimited Rollovers to Roth IRAs in 2010**

- Converting from traditional to Roth IRA
- Reconverting and re-characterizing the conversion
- Withdrawing from Roth IRAs tax-free

Marcia Chadwick Holt, Davis, Graham & Stubbs, Denver, CO



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Tulane Tax Institute October 28 - 30, 2009

General Information Registration and Fees

On-line registration is available at: www.law.tulane.edu/cle. The full three-day registration fee is \$595 and includes refreshments and luncheons each day and course materials on a CD. Two-day and one-day registration fees are also available. A discount is offered for government employees and professors. The Tax Institute accepts checks, cash, Visa or MasterCard. It is advisable to pre-register as space may be limited. Please check the lunch box on the registration form if you plan to attend the luncheons.

Course Materials

The extensive Institute course materials will be distributed at the seminar on a CD. Hard copies of the full materials will also be available for purchase at the seminar for \$55. To order a hard copy, please check the course material option. To guarantee your book order, orders must be received by October 21.

Cancellations and Refunds

A full-refund less a \$50 administrative fee will be offered through October 21, 2009. Absolutely no refunds will be made after October 21. Registrations may be transferred to another member of the same firm until October 21. Cancellations and transfers must be submitted in writing either by fax at 504-866-1583 or e-mail to patsmith@tulane.edu no later than 5 pm on October 21, 2009.

Hotel Reservations

The Institute hotel is the Westin New Orleans Canal Place located at 100 Rue Iberville. A block of rooms has been reserved at a special discounted rate. This block will be held until September 28, 2009. To reserve your your room, call 1-888-627-8180 or 504- 566-7006 and be sure to ask for the Tulane Law School Tax Institute room block.

Continuing Education Credits

The Tax Institute will assist you with your reporting requirements. State Bar and CPA Societies do not have uniform requirements so please check the credit information provided at the seminar for your state's specific requirements. The program is being presented in Louisiana, a mandatory CLE state, for a maximum of 18.75 hours of instruction, including 1 hour of ethics and 1 hour of professionalism. To obtain continuing education credits, registrants must complete and return the Certificate of Attendance and other required forms BEFORE leaving the seminar.

Registration Form

Tulane Tax Institute – October 28 - 30, 2009

- | | |
|--|--|
| <input type="checkbox"/> Standard 3 Day..... \$595 | <input type="checkbox"/> Government/Academic 3 Day.... \$395 |
| <input type="checkbox"/> Standard 2 Day..... \$450 | <input type="checkbox"/> Government/Academic 2 Day.... \$275 |
| <input type="checkbox"/> Standard 1 Day..... \$250 | <input type="checkbox"/> Government/Academic 1 Day.... \$150 |
| <input type="checkbox"/> Hard Copy of Course Materials-\$55 (<i>registration fee includes CD only</i>) | |
| <input type="checkbox"/> I will attend Luncheons on: | |
| <input type="checkbox"/> Wednesday, October 28 | <input type="checkbox"/> Thursday, October 29 |
| <input type="checkbox"/> Friday, October 30 | |

Name: _____

State/Bar #s: _____

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