

**2008 Texas Margin Tax**  
**November 19-20, 2008 • Cityplace Conference Center • Dallas, TX**  
**December 4-5, 2008 • Norris Conference Center • Austin, TX**  
**December 11-12, 2008 • Hyatt Regency • Houston, TX**

**Day 1 Morning**

**Presiding Officers:**

In Dallas: **Hon. Peter Brooks**, State Office of Administrative Hearings - Austin, TX

In Austin: **Christina A. Mondrik**, Mondrik & Associates - Austin, TX

In Houston: **Hon. Peter Brooks**, State Office of Administrative Hearings - Austin, TX

8:00 am In Dallas Only	<b>Registration Opens</b>  Includes continental breakfast.
9:00 am 0.50 hr	<b>Calculating the Taxable Margin: How It Works, What's at Stake</b>  Discussion of the elements of the margin tax computation, including combined reporting, and how the elements interrelate to determine the tax liability.  Ray H. Langenberg, Scott, Douglass & McConnico - Austin, TX
9:30 am 1.00 hr	<b>Revenue Issues Under the Revised Texas Franchise Tax</b>  This presentation will provide a discussion of key issues and opportunities relating to the computation of total revenue under the revised Texas franchise tax.  David E. Colmenero, Meadows, Collier, Reed, Cousins & Blau, L.L.P. - Dallas, TX
10:30 am In Dallas Only	<b>Break</b>
10:45 am 0.50 hr	<b>Top Ten Key Filing and Reporting Issues</b>  Common filing mistakes and oversights in determining the affiliated/combined group, revenue, cost of goods sold deduction, and interaction among related entities.  In Dallas: Amanda Fathke, PricewaterhouseCoopers LLP - Dallas, TX In Houston: Robin Klinghagen, PricewaterhouseCoopers LLP - Houston, TX In Austin: William J. (Bill) Essay, PricewaterhouseCoopers LLP - Houston, TX
11:15 am 1.00 hr	<b>Cost of Goods Sold</b>  Lessons learned on how to tackle the computation of the cost of goods sold.  Steven W. Anderson, KPMG LLP - Houston, TX

## Day 1 Afternoon

### Presiding Officers:

In Dallas: **Christina A. Mondrik**, Mondrik & Associates - Austin, TX

In Austin: **Hon. Peter Brooks**, State Office of Administrative Hearings - Austin, TX

In Houston: **Christina A. Mondrik**, Mondrik & Associates - Austin, TX

In Dallas Only	<b>LUNCHEON PRESENTATION</b>
12:15 pm In Dallas Only	<b>Pick up Box Lunch</b>  Included in conference registration fee.
12:30 pm 0.75 hr	<b>The Margin Tax: The Big Business and Small Business Point of View</b>  Dale Craymer, Texas Taxpayers and Research Association - Austin, TX Will Newton, National Federation of Independent Business, Texas - Austin, TX
1:15 pm In Dallas Only	<b>Break</b>
1:30 pm 0.50 hr	<b>Calculating the Compensation Deduction</b>  This session will focus on the calculation and compliance issues of the compensation deduction, the identification of planning opportunities to increase the deduction, and the avoidance of potential traps for the unwary. In addition, this session will also address inter-entity services, staff leasing companies, management companies, and other industry-specific issues.  Eric Louis Stein, Ryan, Inc. - Austin, TX
2:00 pm 1.00 hr	<b>Unitary Taxation—The Texas Approach</b>  With the adoption of the revised franchise tax, Texas has left behind more than 100 years of separate entity reporting and joined the ranks of states that require combined reporting if controlling interest requirements are met and the affiliated group operates in a unitary manner. Who is in, who is out, and is there anything that affiliated groups can do about it? This segment focuses upon factors and issues relevant to determining whether an affiliated group is or is not a unitary enterprise, with particular emphasis on the Texas approach.  Ira A. Lipstet, DuBois, Bryant & Campbell LLP - Austin, TX
3:00 pm In Dallas Only	<b>Break</b>
3:15 pm 0.50 hr	<b>Control, Affiliation and Attribution</b>  This presentation discusses the legal requirements built into the Texas Tax Code's new definitions of control and affiliation as well as the Texas Comptroller's regulatory attribution rule. The analysis is the foundation for determining which entities within an organization must be included on a combined group report. Special attention will be given to trusts.  Steven D. Moore, Jackson Walker L.L.P. - Austin, TX

3:45 pm 1.25 hrs	<p><b>Putting it Together: Practical Examples of the Application of Margin Tax</b></p> <p>This visual presentation is aimed at the practical application of the new margin tax to common entities and structures. It includes comparative analysis of federal income tax treatment of the structures. Special attention will also be given to choice of entity; selected nexus issues; special partnership agreement provisions; and the treatment of passive entities within complex organizational structures.</p> <p>William H. Hornberger, Jackson Walker L.L.P. - Dallas, TX Steven D. Moore, Jackson Walker L.L.P. - Austin, TX</p>
5:00 pm In Dallas Only	<b>Adjourn</b>

## Day 2 Morning

### Presiding Officers:

**David H. Gilliland**, Clark, Thomas & Winters, PC - Austin, TX

In Houston: **Hon. Peter Brooks**, State Office of Administrative Hearings - Austin, TX

8:30 am	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
9:00 am 0.50 hr	<p><b>Apportionment</b></p> <p>This presentation will cover apportionment under the revised franchise (margin) tax. The discussion will cover advanced apportionment issues with respect to combined groups, service providers and other taxpayers.</p> <p>Christina A. Mondrik, Mondrik &amp; Associates - Austin, TX</p>
9:30 am 0.50 hr	<p><b>Taxable and Nontaxable Entities</b></p> <p>Discussion of issues concerning whether trusts and other entities are subject to margin tax.</p> <p>Elsbeth T. Peshel, Clark, Thomas &amp; Winters, PC - Austin, TX</p>
10:00 am 0.50 hr	<p><b>Possible Franchise Tax Changes</b></p> <p>Discussion of possible amendments to the franchise tax, how current revenue expectations may affect the likelihood of change, and tax policy criticisms of revised franchise tax.</p> <p>In Dallas: David H. Gilliland, Clark, Thomas &amp; Winters, PC - Austin, TX In Houston: Hon. Peter Brooks, State Office of Administrative Hearings - Austin, TX In Austin: David H. Gilliland, Clark, Thomas &amp; Winters, PC - Austin, TX</p>
10:30 am	<b>Break</b>

10:45 am  
1.50 hrs

### **Margin Tax Q&A with the Comptroller's Office**

Representatives from the Comptroller's Tax Policy Division will be on hand to answer common margin tax questions and field questions from the audience regarding the Comptroller's interpretation of the revised Texas margin tax.

Teresa Bostick, Texas Comptroller of Public Accounts - Austin, TX

Moderator:

David H. Gilliland, Clark, Thomas & Winters, PC - Austin, TX

Janet Spies, Texas Comptroller of Public Accounts - Austin, TX

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