

**56<sup>th</sup> Annual Taxation Conference**  
**November 5-6, 2008 • InterContinental Stephen F. Austin Hotel • Austin, TX**

**Wednesday Morning, Nov. 5, 2008**

**Presiding Officer:**

**Michael L. Cook**, Winstead PC - Austin, TX

7:30 am	<b>Registration Opens</b>  Includes continental breakfast.
8:30 am 1.50 hrs	<b>Recent Federal Income Tax Developments</b>  Discussion of the significant court decisions, rulings, and statutory and regulatory developments over the past twelve months.  Ira B. Shepard, University of Houston Law Center - Houston, TX Daniel L. Simmons, School of Law, University of California, Davis - Davis, CA
10:00 am	<b>Break</b>
10:15 am 0.75 hr	<b>Recent Federal Income Tax Developments (continued)</b>
11:00 am 1.00 hr	<b>Disguised Sales of Property to Partnerships and Disguised Sales of Partnership Interests</b>  Discussion of disguised sale issues and planning opportunities under sections 704, 707, and 737.  Terence F. Cuff, Loeb & Loeb - Los Angeles, CA

**Wednesday Afternoon, Nov. 5, 2008**

**Presiding Officer:**

**Maxine Aaronson**, Attorney at Law - Dallas, TX

	<b>LUNCHEON PRESENTATION</b>
12:00 pm	<b>Pick up Box Lunch</b>  Included in conference registration fee.
12:15 pm 0.75 hr	<b>Chair, ABA Section of Taxation—Benefits and Burdens</b>  Successes of the ABA Section of Taxation during the past year and matters still to be resolved.  Stanley L. Blend, Oppenheimer, Blend, Harrison & Tate, Inc. - San Antonio, TX
1:00 pm	<b>Break</b>

1:15 pm 1.00 hr	<p><b>Current Topics in Corporate Taxation</b></p> <p>The last half year's corporate tax guidance on reorganizations, section 338 elections, foreign acquisitions, as well as court cases on corporate tax shelters.</p> <p>Jasper L. Cummings Jr., Alston &amp; Bird LLP - Raleigh, NC</p>
2:15 pm	<b>Break</b>
2:30 pm 1.00 hr ethics	<p><b>Conflicts Check: Who's Your Client? What's the Scope? Should You Take the Work?</b></p> <p>This panel will explore conflicts issues that tax practitioners face from prior and contemporaneous work; representing husband and wife in audit and estate planning matters; formation and representation of business entities; representing exempt organizations and insiders; and defending business organizations and their officers/employees in criminal tax matters.</p> <p>Bradley T. Borden, Washburn University School of Law - Topeka, KS Moderator: Larry A. Campagna, Chamberlain, Hrdlicka, White, Williams &amp; Martin - Houston, TX Katherine Evelyn David, Oppenheimer, Blend, Harrison &amp; Tate, Inc - San Antonio, TX Charles J. Muller III, Strasburger &amp; Price, LLP - San Antonio, TX</p>
3:30 pm 1.50 hrs	<p><b>Texas Margin Tax Update</b></p> <p>Key issues and lessons learned from this first year of the Texas Margin Tax.</p> <p>Ann E. Bradshaw, Ernst &amp; Young LLP - Houston, TX Cynthia M. Ohlenforst, K&amp;L Gates LLP - Dallas, TX Jerry Howard Oxford, TX Comptroller of Public Accounts - Austin, TX</p>
5:00 pm	<b>Adjourn</b>

## Thursday Morning, Nov. 6, 2008

### Presiding Officer:

**R. Joe Hull**, Bracewell & Giuliani, LLP - Austin, TX

8:00 am	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
8:30 am 2.00 hrs ethics	<p><b>New Rules for Tax Advisers and Tax Return Preparers</b></p> <p>An expert panel will discuss recent changes to the tax return preparer penalties and Circular 230 that affect practitioners who give tax advice as well as tax return preparers. The panel will explain who is subject to the new penalties, what conduct can trigger a penalty, what constitutes a reasonable belief that a position will more likely than not be sustained on the merits, what happens to practitioners who are accused of willful or reckless conduct, and how the penalties are calculated. The panel will use hypothetical situations to demonstrate how the new penalties can apply in every-day practice.</p> <p>Thomas J. Kane, Internal Revenue Service - Washington, DC Moderator: Charles J. Muller III, Strasburger &amp; Price, LLP - San Antonio, TX Bryan C. Skarlatos, Kostelanetz &amp; Fink, LLP - New York, NY Pete Wilson, RSM McGladrey, Inc. - Chapel Hill, NC</p>

10:30 am	<b>Break</b>
10:45 am 1.00 hr	<b>Update on Workouts and Debt Cancellation Issues</b>  Selected topics of continuing controversy in the workout world and current developments.  Michael L. Cook, Winstead PC - Austin, TX Thomas R. Helfand, Winstead PC - Dallas, TX

## Thursday Afternoon, Nov. 6, 2008

### Presiding Officer:

**R. Gordon Appleman**, Thompson & Knight LLP - Fort Worth, TX

	<b>LUNCHEON PRESENTATION</b>
11:45 am	<b>Pick up Box Lunch</b>  Included in conference registration fee.
	<b>Luncheon Speaker Introduction:</b>  Robert J. Peroni, The University of Texas School of Law, Austin, TX
12:00 pm 0.75 hr	<b>Sunsetting Tax Provisions and Fundamental Tax Reform</b>  With the impending sunset of important tax provisions and the pressing need for fundamental tax reform, what tax legislation can we expect from the new administration during the next few years?  George K. Yin, University of Virginia School of Law - Charlottesville, VA
12:45 pm	<b>Break</b>
1:00 pm 1.00 hr	<b>Governance of Tax Exempt Organizations</b>  Intermediate sanctions and other recent hot issues in representing exempt organizations.  Johnny Rex Buckles, University of Houston Law Center - Houston, TX
2:00 pm 1.00 hr ethics	<b>FIN 48 and Related Privilege Issues</b>  The tug-of-war among CFOs, tax officers, auditors and counsel; privilege issues related to compliance with FIN 48; and recent court cases.  Jasper G. Taylor III, Fulbright & Jaworski L.L.P. - Houston, TX
3:00 pm	<b>Break</b>

3:15 pm 1.00 hr	<p><b>Full Compliance with Section 409A</b></p> <p>Payments structured over several years, employment agreements, equity awards, incentive arrangements, and other deferred payments can all be covered by Code section 409A. Code section 409A reaches many arrangements and will impose penalties on the party receiving the payments if there is not full compliance with the rules by the end of 2008. This session will provide an overview of Code section 409A, what exemptions exist and how to comply with the final rules.</p> <p>Greta E. Cowart, Haynes and Boone, LLP - Dallas, TX</p>
4:15 pm 1.00 hr	<p><b>Compensation Issues for Pass-Through Entities</b></p> <p>A discussion of the self-employment or employment taxation of members and partners in LLCs and general and limited partnerships taxed as partnerships and shareholders in S corporations and the consequences of using equity in these entities as compensation.</p> <p>Robert R. Keatinge, Holland &amp; Hart, LLP - Denver, CO</p>
5:15 pm	<p><b>Adjourn to Reception</b></p> <p>Sponsored by The University of Texas Office of Gift Planning</p> <p>Welcome by Stanley Johanson and the Gift Planning Team Location: Second floor atrium of the InterContinental Stephen F. Austin Hotel</p>
6:30 pm	<p><b>Reception Adjourn</b></p>