

**64<sup>th</sup> Annual Taxation Conference**  
**November 30 - December 1, 2016 • Radisson Hotel and Suites, Austin-Downtown**  
**• Austin, TX**

**Wednesday Morning, Nov. 30, 2016**

**Presiding Officer:**

**Catherine C. Scheid**, Attorney at Law - Houston, TX

7:30 am	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am	<b>Welcoming Remarks</b>
8:30 am 2.00 hrs	<b>Recent Developments in Federal Income Taxation</b>  Review significant court decisions, rulings, and statutory and regulatory developments of the past year.  Bruce A. McGovern, Houston College of Law - Houston, TX
10:30 am	<b>Break</b>
10:45 am 1.00 hr	<b>Traps and Pitfalls of the New Section 385 Regulations</b>  The Section 385 regulations are a sea-change event that will have profound impact given the three-year presumptions contained in the regulations and that they broadly apply to many deleveraging transactions and create a presumption of linkage. Explore the impact of Section 385 on debt pushdown strategies, potential workarounds to those impacts, scope limitations of the Section 385 regulations that define “tainted” debt versus “clean” debt, and the collateral damage of the Section 385 regulations to unanticipated situations.  Bret Wells, University of Houston Law Center - Houston, TX
11:45 am	<b>Pick Up Lunch</b>  Included in registration.

**Wednesday Afternoon, Nov. 30, 2016**

**Presiding Officer:**

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

**LUNCHEON PRESENTATION**

12:05 pm 1.00 hr	<p><b>The 2016 Election and Prospects for Tax Reform</b></p> <p>The presidential election could radically shape tax policy in the United States because the two candidates have starkly different proposals. Explore the implications of the election for tax policy over the short and long run.</p> <p>Leonard E. Burman, Tax Policy Center - Washington, DC</p>
1:05 pm	<p><b>Break</b></p>
1:20 pm 1.00 hr	<p><b>Distinguishing and Planning around Individual Goodwill</b></p> <p>Practitioners and appraisers once dismissed distinguishing and planning around "individual goodwill" as far from serious. Now the practice is increasingly accepted and is in widespread use in ways which are, in fact, only a step or two away from negligence, if not fraud. Review these concepts and their limits, especially as they relate to structuring and restructuring around corporate lockup of built-in gains.</p> <p>Bruce A. Johnson, Munroe, Park &amp; Johnson, Inc. - San Antonio, TX Kenton E. McDonald, Branscomb   PC - Corpus Christi, TX</p>
2:20 pm 1.00 hr	<p><b>Civil and Criminal Employment Tax Enforcement—Employers Beware</b></p> <p>The Department of Justice Tax Division and the IRS have once again elevated employment tax non-compliance to the top of their priority lists. Examine the government's approach to businesses and individuals that fail to pay employment tax. Hear a discussion about IRS early action employment tax initiative, including often unexpected consequences of early IRS contact. Explore Professional Employer Organization certification, as well as the major risks and traps for the unwary in trust fund recover penalty investigations that may lead to and support a criminal prosecution. In addition to criminal investigations regarding employment tax matters, learn about injunctions which can actually result in a much shorter path to jail than a traditional criminal prosecution.</p> <p>Josh O. Ungerman, Meadows, Collier, Reed, Cousins, Crouch &amp; Ungerman, L.L.P. - Dallas, TX</p>
3:20 pm	<p><b>Break</b></p>
3:30 pm 1.00 hr	<p><b>Welcome to America... Now What? U.S. Income Taxation and Other Reporting Requirements</b></p> <p>Identify the federal income tax and information reporting provisions that may apply to non-resident aliens, resident aliens, and U.S. persons receiving gifts from foreign persons.</p> <p>T. Charles Parr III, Parr &amp; Associates - San Antonio, TX</p>
4:30 pm	<p><b>Adjourn</b></p>

## Thursday Morning, Dec. 1, 2016

### Presiding Officer:

**Robert J. Peroni**, The University of Texas School of Law - Austin, TX

7:30 am	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
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8:30 am 1.00 hr 0.25 hr ethics	<p><b>Personal Liability for Corporate Tax Assessments</b></p> <p>It's your client's worst nightmare. After serving as an officer, a director, or in some cases, an employee of a failed business, there's a knock on the door. It's from a sheriff serving a lawsuit alleging the client is personally liable for his or her employer's unpaid Texas taxes. Learn the laws that impose personal liability and how best to defend against it.</p> <p>James F. Martens, Martens, Todd, Leonard, Taylor &amp; Ahlrich - Austin, TX</p>
9:30 am 1.00 hr	<p><b>New Partnership Audit Rules</b></p> <p>Recently, Congress repealed the current TEFRA regime and replaced it with new audit and collection procedures at the partnership level. Hear an overview of the new partnership audit rules, with an emphasis on drafting considerations for partnership and LLC agreements, and other related documents.</p> <p>Todd Keator, Thompson &amp; Knight LLP - Dallas, TX Mary A. McNulty, Thompson &amp; Knight LLP - Dallas, TX</p>
10:30 am	<p><b>Break</b></p>
10:45 am 1.00 hr 0.75 hr ethics	<p><b>Crime and Marriage</b></p> <p>What are the tax implications of crime on the family tax return? What is the impact of criminal gain by one partner in a marriage? Should a spouse have known the money was tainted? Is there an innocent spouse aspect to this? Consider these questions and more.</p> <p>Ian M. Comisky, Fox Rothschild LLP - Philadelphia, PA William Cotter, Internal Revenue Service, Criminal Investigation - San Antonio, TX Mary T. Vidas, Blank Rome LLP - Philadelphia, PA</p>
11:45 am	<p><b>Pick Up Lunch</b></p> <p>Included in registration.</p>

## Thursday Afternoon, Dec. 1, 2016

### Presiding Officer:

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

### LUNCHEON PRESENTATION

12:05 pm 1.00 hr	<p><b>Avoiding Tax Malpractice</b></p> <p>Tax practitioners are continuously confronted with potential potholes and landmines when preparing tax returns for and advising a client with regard to tax matters. Hear a discussion of the malpractice landscape for attorney and CPA tax practitioners with a focus on identifying risks and steps that may be taken to avoid exposure.</p> <p>Arthur J. "Kip" Dellinger, Cooper, Moss, Resnick, Klein &amp; Co., LLP - Sherman Oaks, CA</p>
1:05 pm	<p><b>Break</b></p>

<p>1:20 pm 1.00 hr</p>	<p><b>Cancellation of Debt</b></p> <p>Explore how the downturn in the energy industry has made COD issues of more frequent concern, as have issues arising in connection with restructuring of debt obligations of partnerships and LLCs.</p> <p>Crawford Moorefield, Strasburger &amp; Price, LLP - Houston, TX</p>
<p>2:20 pm 1.00 hr</p>	<p><b>Using Your Estate Planning Family Limited Partnership for Income Tax Planning, Both at Death and While One is Living</b></p> <p>Discover how to use the partnership income tax rules to transfer appreciated assets, currently owned by irrevocable trusts, either directly or through partnerships, to an individual who can obtain an income tax-free step-up in basis at death. Learn how to use partnerships to increase the basis in appreciated assets that a partnership or an irrevocable trust intends to sell while the senior family member is living.</p> <p>Jerome M. Hesch Esq., Aventura, FL</p>
<p>3:20 pm</p>	<p><b>Break</b></p>
<p>3:30 pm 1.00 hr ethics</p>	<p><b>Data Security, Client Confidences, and Ethics Rules Applicable to the Protection of Client Information</b></p> <p>Tax practitioners hold the keys—literally and figuratively—to some of their clients' most sensitive personal and financial information. Protecting this information has always been of paramount concern for practitioners and for the IRS. Explore the legal and regulatory context for the issue of data security from an ethics perspective. What do the ethics rules, including ABA Model Rule 1.6, require of practitioners in the area of data security and what are the consequences of violating those rules?</p> <p>Leslie C. Thorne, Haynes and Boone, LLP - Austin, TX Emily Westridge Black, Haynes and Boone, LLP - Austin, TX</p>
<p>4:30 pm</p>	<p><b>Adjourn</b></p>