

SPEAKER'S CORNER**UPCOMING EVENTS****DECEMBER 2003 / JANUARY 2004****December 4, 2003****Pennsylvania Bar Institute – Philadelphia Bar Tax Section Annual Meeting**

Location: Philadelphia, PA

Speaker: **Richard Timbie**

Mr. Timbie will speak on tax services and auditor independence rules of the Sarbanes-Oxley Act of 2002.

December 4-5, 2003**ALI-ABA's Tax Exempt Charitable Organizations Conference**

Location: Hilton Embassy Row, Washington, DC

Co-Planning Chairs: **Marcus Owens** and **Douglas Varley**Speakers: **Diara Holmes**, **Kirk Jowers**, **Lloyd Mayer**, and **Richard Skillman**

The conference will provide a comprehensive review of this year's key developments affecting the legal framework for charities. On December 5th, Kirk Jowers and Lloyd Mayer will speak on lobbying and politicking; Mr. Skillman will discuss tax developments relating to deferred compensation in the charitable sector; and Ms. Holmes will give a report on significant but underappreciated developments affecting tax exempt organizations. Also, on December 4th, Caplin & Drysdale will be hosting a cocktail reception for all conference participants.

For more information, see:<http://www.ali-aba.org/aliaba/CJ039.htm>**December 5, 2003****Tennessee Society of CPA's Federal Tax Conference**

Location: Nashville Airport Marriott, Nashville, TN

Speaker: **Christopher Rizek**

Mr. Rizek will speak on evolving privilege and confidentiality rules.

For more information, see:<http://www.tncpa.org/conferences/federaltax.htm>**December 5, 2003****New England Chapter of Tax Executives Institute (TEI)**Speaker: **Scott Michel**

Mr. Michel will speak on corporate tax departments and the new focus on corporate criminality.

December 10, 2003**Tax Executives Institute Regional Conference**

Location: Detroit, MI

Speaker: **Scott Michel**

Mr. Michel will speak on ethical issues and risk avoidance for corporate tax departments.

December 11-12, 2003**George Washington University's 16th Annual Institute on Current Issues in International Taxation**

Location: JW Marriott Hotel, Washington, DC

Speakers: **Patricia Lewis** and **David Rosenbloom**

On December 11th, Ms. Lewis will speak on the latest IRS transfer pricing guidance and Mr. Rosenbloom will speak on managing the risks of the changing world of permanent establishment taxation.

For more information, see:<http://www.law.gwu.edu/ciit/>**January 8-10, 2004****2004 Southern Political Science Association**

Location: Inter-Continental Hotel, New Orleans, LA

Speaker: **Kirk Jowers**

Mr. Jowers will speak on the impact of the Bipartisan Campaign Reform Act and McConnell v. FEC.

For more information, see:<http://www2.gasou.edu/spsa/conference.htm>**January 29-31, 2004****American Bar Association Section on Taxation's Mid-Year Meeting**

Location: Gaylord Palms Resort and Convention Center, Kissimmee, FL

Speaker: **Rebecca Rosenberg**

On January 30th, Ms. Rosenberg will speak on current issues surrounding tax credits.

For more information, see:<http://www.abanet.org/tax/meetings/midyear04/>

RECENT PUBLICATIONS

November 2003

“TaxAlert”

Caplin & Drysdale Newsletter

By: **Patricia Lewis, James Salles, Lloyd Mayer, Christopher Rizek**

In this edition of TaxAlert, Caplin & Drysdale lawyers summarize a number of recent developments in the tax area.

To read the newsletter, go to:

<http://www.capdale.com/db30/cgi-bin/pubs/TaxAlert11-03.pdf>

November 2003

“Tax Accounting Monthly Column”

Corporate Business Taxation Monthly

By: **James Salles**

This month’s column discusses the Tenth Circuit’s recent decision in *United States v. Brown*, which upholds the regulations issued under section 468(g) governing “qualified settlement funds.”

October 27, 2003

“Attorney Takes Issue with Proposed Rules on Capitalization of Costs of Intangibles”

Tax Notes

By: **Richard Skillman**

In a published letter addressed to the IRS, Mr. Skillman submits comments on proposed regulations that would provide a framework for capitalization of expenditures incurred in acquiring, creating, or enhancing intangible assets.

(The letter also appeared in the October 21st issue of *Tax Notes Today*.)

NOTES AND NOTABLES

November 17, 2003

Senator John Warner of Virginia wrote a tribute to **Mortimer Caplin** which is featured in the *Congressional Record – Senate*.

November 15, 2003

Trevor Potter debated Ken Starr on the constitutionality and advisability of the Bipartisan Campaign Reform Act during the Annual Meeting of the Federalist Society in Washington, D.C.

HEAD OF THE CLASS

January 10, 2004

Georgetown University

Faculty: **Lloyd Mayer**

Mr. Mayer will teach a legal and ethical issues class as part of Georgetown University’s Nonprofit Management Executive Certificate Program.

For more information, please contact the Marketing Department at (202) 862-5000 or e-mail bcg@capdale.com.

IN THE NEWS

November 27, 2003

“Prosecutors Making Fraud Cases Relative”

The Washington Post

In the article, **Preston Burton** predicts that the government’s tougher tactics in corporate fraud cases will result in an increase in family prosecutions in the future.

November 17, 2003

“Accountability; New Equation for Charities: More Money, Less Oversight”

The New York Times

Marcus Owens is quoted in the article about how the IRS has become less aggressive and less feared by exempt organizations due to the fact that the number of requests for technical advice from agents and private-letter rulings has declined within the past few years.

November 14, 2003

“A Model Politician?”

National Journal’s House Race Hotline

Marcus Owens mentions how a link between a charity sponsored event and the GOP convention could raise a red flag by the tax agency as a creative maneuver around the campaign finance law.

November 12, 2003

“Advance Pricing Agreements: Director Responds to Complaint That APA Program Losing Flexibility”

Tax Management Transfer Pricing Report

In the article, **David Rosenbloom** questions whether the Advance Pricing Agreement Program is shifting toward an increased focus on rules and away from more fact-based resolution of cases. He also questions how the APA program would handle cases in light of a developing policy, such as the proposed services rules.

November 2003

“Los Angeles Firms Contribute ‘Buildable Hours’ to Habitat for Humanity”

NALP Bulletin

Scott Michel is mentioned in the article for being one of the founders of Buildable Hours. The article discusses how the Los Angeles legal community is participating in the non-profit’s program to build affordable housing.

October 30, 2003

“Transfer Pricing: Hicks Says IRS Unlikely to Propose Cost Sharing Rewrite by December”

Daily Tax Report

International Tax Monitor

In these articles, **David Rosebloom** hints about how the APA program has lost some of its former flexibility and has become increasingly concerned about policy over the years.

October 22, 2003

“Disclosure at Chimes Puts Donors in the Dark; Finances: The Baltimore-Based Nonprofit Failed to Properly Report Large Executive Salaries and Business Relationships with Board Members, Experts and Former IRS Officials Say”

The Baltimore Sun

Marcus Owens comments on a nonprofit that failed to disclose its practices to the IRS and to report business relationships with several members of its boards.

October 22, 2003

“Fired Levi’s Workers Testify; Senate Finance Panel Conducts Hearing on Abusive Tax Shelters”

The San Francisco Chronicle

Christopher Rizek comments on the allegations against Levi’s and how there is a strong appetite for tax-shelter reform this year.

October 22, 2003

“Multilateral Approach Best Way to Tackle Capital Flight, Tax Evasion, Money-Laundering, Attorney Tells Second Committee Panel Discussion; Delegates Hear Expert Views On International Cooperation in Tax Matters”

M2 Presswire

David Rosenbloom comments on how the United Nations is the only body in the world that can tackle international taxation matters, including capital flight, tax evasion, and money-laundering.