

Friday

12:30PM – 1:30PM

Administrative Practice and Court Procedure and Practice Luncheon (*Ticketed Event*)

Friday

2:30PM – 5:00PM

Court Procedure & Practice

*Chair:* Larry Hill, Dewey & LeBoeuf LLP, New York, NY

- 2:30pm                      **Opening Remarks by the Chair.**
- 2:35pm                      **Recent Developments in the Law of Privilege.** This panel will discuss recent case development in the law of privilege, including Textron and Regions Financial and the potential implications on IRS examinations. *Moderator:* Robin L. Greenhouse, McDermott Will & Emery LLP, Washington, DC. *Panelists:* Elizabeth Copeland, Oppenheimer Blend Harrison and Tate, San Antonio, TX; Kathryn Zuba, IRS Special Counsel, LMSB, IRS, Washington, DC.
- 3:15pm                      **Remarks on Behalf of the Tax Court.** *Moderator:* The Honorable John Colvin, Chief Judge, US Tax Court, Washington, DC.
- 3:30pm                      **Remarks on Behalf of the Office of Chief Counsel, IRS.** *Moderator:* Deborah A. Butler, Associate Chief Counsel (Procedure and Administration), IRS, Washington, DC.
- 3:45pm                      **Transferee Liability Issues – The Pursuit of Taxes.** This panel will address the substantive and procedural issues concerning the application of transferee liability, including the requirements for establishing fraudulent conveyances, contractual and statutory transferee liability, burden of proof, statutes of limitations periods, the impact of bankruptcy proceedings and the types of cases (such as those involving so-called Midco transactions) and circumstances in which transferee liability has been and is currently being pursued by the IRS. *Moderator:* Mark Allison, Dewey & LeBoeuf LLP, New York, NY. *Panelists:* Tom Cullinan, Sutherland Asbill & Brennan LLP, Atlanta, GA; Thomas J. Kane, Special Counsel, IRS, Washington, DC; Richard Sapinski, Sills Cummins & Gross, Newark, NJ.
- 4:30pm                      **Spotlight on Current Developments.** *Moderator:* Rachel Partain, Dewey & LeBoeuf LLP, New York, NY.
- 4:45pm                      **When the Shoe is on the Other Foot: Challenging the Government's Assertion of Privilege and other Discovery Obstacles.** This panel will address various common discovery issues arising when the Defendant is the IRS, including the Government's assertion of attorney-client privilege and/or deliberative process privilege to prevent disclosure of information and documents. This topic will address when those privileges should and should not be asserted for documents contained in the administrative file. The panel will also consider other discovery problems including the IRS designation of a person under Fed. R. Civ. P. 30(b)(6) for purposes of deposition discovery. *Moderator:* Charles E. Hodges II, Chamberlain Hrdlicka White Williams & Martin, Houston, TX. *Panelists:* Chris Sterner, Division Counsel, IRS, Washington, DC; M. Todd Welty, Sonnenschein Nath & Rosenthal, Dallas, TX.

**Saturday**

**7:45AM – 9:00AM**

**Court Procedure and Practice Officers and Subcommittee Chairs Breakfast** (*Ticketed Event*)