

Friday

8:30AM – 4:45PM

Exempt Organizations

Chair: Michael A. Clark, Sidley Austin LLP, Chicago, IL

- 8:30am**                    **News from the IRS and Department of Treasury.** Representatives from the TE/GE Division of IRS and from the Department of Treasury will speak on recent developments and pending guidance. *Moderator:* Joseph E. Lundy, Lundy and Flynn LLP, Bala Cynwyd, PA. *Panelists:* Emily M. Lam, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC; Lois G. Lerner, Director, Exempt Organizations, IRS, Washington, DC; Catherine E. Livingston, Assistant Chief Counsel, Office of Division Counsel/Associate Chief Counsel (Tax Exempt and Government Entities), IRS, Washington, DC.
- 9:30am**                    **New Developments for Healthcare Organizations.** This panel will discuss new developments of interest to tax-exempt healthcare organizations, including studies on community benefit by the Government Accountability Office and the IRS (if released), the court decisions in Vision Service Plan, current issues regarding Schedule H of the IRS Form 990 and likely post-election changes to the healthcare environment. *Moderator:* Christopher M. Jedrey, McDermott Will & Emery LLP, Boston, MA. *Panelists:* Geoffrey Campbell, IRS (TEGE), Washington, DC; Laura Gabrysch, Fulbright & Jaworski LLP, San Antonio, TX; Judith Kindell, Senior Technical Advisor to the Director, Exempt Organizations, IRS, Washington, DC; James R. King, Jones Day, Columbus, OH; T.J. Sullivan, Drinker Biddle & Reath LLP, Washington, DC; Geoffrey Campbell, IRS (TEGE), Washington, DC.
- 10:45am**                    **IRS and Congress Go Back to School.** Colleges and universities have been swamped with a deluge of new laws, regulations, cases, forms and IRS and congressional inquiries. This panel will discuss current tax developments including the IRS questionnaire sent to colleges and universities, the new Form 990, congressional inquiries into endowment spending, the tax status of post-doctoral research fellows, new rules affecting deferred compensation, recent rulings regarding affiliated entities investing in the endowment and yes, Virginia, there really may be a student FICA exception for medical residents. *Moderator:* Adelbert L. Spitzer, Ropes & Gray LLP, Boston, MA. *Panelists:* Professor Lorraine A. Sciarra, Princeton University, Princeton, NJ; Professor Sean P. Scally, Vanderbilt University and Medical Center, Nashville, TN; Carolyn O. Ward, Ropes & Gray LLP, Washington, DC.
- 12:15pm**                    **Luncheon.**  
TOPIC:                    New Orleans Post Katrina: The Role of Philanthropy and Charity  
MODERATOR:            David A. Shevlin, Simpson Thacher & Bartlett LLP, New York, NY  
PANELIST:                John Davies, Baton Rouge Area Foundation, Baton Rouge, LA
- 1:45pm**                    **The Application of Penalties to Tax-Exempt Organizations.** The Code provides various penalties applicable to taxpayers; some of these penalties are applicable to tax-exempt organizations. This panel will discuss the contexts in which penalties may be applicable to tax-exempt organizations and considerations in penalty enforcement. *Moderator:* Christopher S. Rizek, Caplin & Drysdale Chartered, Washington, DC. *Panelists:* Bryon Christensen, Attorney Advisor, Department of Treasury, Washington, DC; Douglas M. Mancino, McDermott Will & Emery LLP, Los Angeles, CA.

2:45pm

**Conversions: Where do we Stand?** This panel will revisit the principal tax and related issues that arise when a taxable entity desires to convert to an exempt organization and when an exempt organization desires to become a taxable entity. In the latter category, the panelists will discuss the relatively established law applicable to 501(c)(3) entities. The panelists will also grapple with the IRS's 20 year old continuing education text in which the IRS stated that exempt organizations cannot voluntarily relinquish tax-exempt status. *Moderator:* Kevin Shortill, Covington & Burling LLP, Washington, DC. *Panelists:* David Bixby, Banner Health, Phoenix, AZ; Ellis Carter, Fennemore Craig PC, Phoenix, AZ; Robert Wexler, Adler & Colvin, San Francisco, CA.

3:45pm

**New Developments Regarding Supporting Organizations and Publicly Supported Organizations.** This panel will discuss the proposed regulations regarding supporting organizations (if issued) and developments and comments regarding the temporary and proposed regulations on the public support test. *Moderator:* Frederick J. Gerhart, Dechert LLP, Philadelphia, PA. *Panelists:* Susan Brown, Morgan Lewis & Bockius LLP, Washington, DC; Richard S. Gallagher, Foley & Lardner, Milwaukee, WI; Philip T. Hackney, Attorney, Exempt Organizations Branch 1, IRS, Washington, DC; Emily M. Lam, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC; Janice Rodgers, Quarles & Brady LLC, Chicago, IL.

4:45pm

**Cash Bar.**