

SPEAKER'S CORNER

UPCOMING EVENTS

MARCH / APRIL 2004

March 4-6, 2004

Association of University Technology Managers (AUTM) Annual Meeting

Location: Marriott Rivercenter, San Antonio, TX

Speaker: **Milton Cerny**

Mr. Cerny will speak on tax issues affecting universities and their intellectual property.

For more information, go to:

<http://www.autm.net/meetings/autm2004/start.html>

March 5, 2004

Alliance for Better Campaigns State Partner Lunch

Location: Hotel Rouge, Washington, DC

Speaker: **Trevor Potter**

March 10-13, 2004

Covering Philanthropy and Nonprofits Beyond 9/11

Location: Los Angeles, CA

Speaker **Douglas Varley**

For more information, go to:

http://www.usc.edu/schools/annenberg/asc/projects/wkc/featured_seminar.html

March 15-16, 2004

New Developments in Foreign Tax Credit Planning

Location: Palace Hotel, San Francisco, CA

Speaker: **Neal Kochman**

On March 16th, Mr. Kochman will speak on foreign tax credit redeterminations under Section 905(c).

For more information, go to:

<http://www.atlas-sfi.com>

March 26, 2004

Virginia Tax Study Group

Location: University of Virginia Law School, Charlottesville, VA

Speakers: **Mortimer Caplin, Christopher Rizek**

Mr. Caplin will review recent and prospective changes in the tax law and regulations. Mr. Rizek will discuss current tax shelter issues.

April 7, 2004

Washington Grantmakers Skill-Building Institute

Location: Washington, DC

Speakers: **Lloyd Mayer, Marcus Owens**

Mr. Mayer and Mr. Owens will speak on legal requirements and regulatory issues affecting foundations.

For more information, go to:

<http://www.washingtongrantmakers.org>

April 20, 2004

The Wall Street Forum: Asbestos

Location: The New York Marriott Financial Center Hotel, New York, NY

Speaker: **Elihu Inselbuch**

Mr. Inselbuch will speak on traditional bankruptcies vs. pre-packs.

For more information, go to:

http://www.mealeys.com/conferences/sem_WallAsb04.html

April 26 – 29, 2004

Christian Management Association Annual Conference

Location: Gaylord Texan Resort and Convention Center, Grapevine, TX

Speaker: **Lloyd Mayer**

On April 26th, Mr. Mayer will speak on "politics and the pulpit." On April 27th, he will speak on money laundering, international activities and terrorism and on April 28th, he will give a legal update for churches.

For more information, go to:

http://content.christianity.com/383/37584/383_37584_CMATexas2004.Brochure.pdf

April 28, 2004

Georgetown University Law Center's Primer on Representing and Managing Private Foundations

Location: Georgetown University Law Center, Washington, DC

Speaker: **Douglas Varley**

On April 28th, Mr. Varley will speak on Section 4942:

Distribution Requirements, Private Operating Foundations.

For more information, go to:

<https://commerce.law.georgetown.edu/cle/pdfs/83.pdf>

April 29 – 30, 2004

Georgetown University Law Center's 21st Annual Representing and Managing Tax-Exempt Organizations

Location: Hyatt Regency Washington, Washington, DC

Speakers: **Marcus Owens, Christopher Rizek**

On April 29th, Mr. Owens and Mr. Rizek will give a practitioner perspective on the anatomy of the IRS audit.

For more information, go to:

<https://commerce.law.georgetown.edu/cle/pdfs/84.pdf>

NOTES AND NOTABLES

March 26, 2004

Firm Sponsors Tax Conference

Caplin & Drysdale will be one of the sponsors of the 28th Annual Federal Bar Association Tax Law Conference. The conference will be held at the Washington Convention Center.

Spring 2004

C&D Attorney Revises Russian Tax Laws

Under a USAID grant, Milton Cerny will work on revising the Russian Tax Laws regarding nonprofit organizations and will travel to Moscow this spring to meet with officials from the Russian Duma and the Ministry of Finance.

HEAD OF THE CLASS

February 2004

University of Virginia Law School

David Webster will serve as a “judge” at the end of a trial practice course.

January 20, 2004

University of Utah

Kirk Jowers taught a Voting, Elections, and Public Opinions class.

RECENT PUBLICATIONS

March 2004

The Journal of Taxation

By: Lloyd Mayer

Mr. Mayer’s article discussing Revenue Ruling 2004-6 appeared in this issue.

March 2004

“Thinking About Subpart F: The Domestic Base Company”

Taxes

By: David Rosenbloom

February 23, 2004

“India Tax Laws Create Potential for Nonprofits”

International Tax Notes

By: Milton Cerny and Marva Rowan

The article discusses how India’s economy will boost the growth and development of the country’s nonprofit organization sector. The article also discusses the legal forms nonprofits can take and the tax benefits available for nonprofits in India, as well as the U.S. tax considerations for donors to Indian charities.

December 15, 2003

“Banes of an Income Tax: Legal Fictions, Elections, Hypothetical Determinations, And Related-Party Debt”

Tax Notes International

By: David Rosenbloom

December 8, 2003

“Why Not Des Moines? A Fresh Entry in the Subpart F Debate”

Tax Notes International

By: David Rosenbloom

To submit items for the next Re:Cap, please email bcq@capdale.com.

IN THE NEWS

February 23, 2004

“Commenters Respond to U.S. IRS Withdrawal of FTC Abuse Notice”

Worldwide Tax Daily

Tax Notes Today

Rebecca Rosenberg and **David Rosenbloom** comment on the IRS's release of Notice 2004-19 and the withdrawal of Notice 98-5 which addressed the issue of abusive foreign tax credit transactions.

February 21, 2004

“Maryland Tax Avoiders Settle at Discount”

Baltimore Sun

Christopher Rizek noted that while Maryland's amnesty-type tax program resulted in significant tax collection for the state, it is problematic because such programs ultimately encourage repeat offenders.

February 17, 2004

“Lifestyles Provide Riches for the Prosecution”

The Washington Post

Preston Burton is quoted in the article about how details that underscore the wealth and high social status of defendants might create bias among jurors weighing a verdict in a prosecution case.

February 16, 2004

“Artful Dodgers”

Barron's Online

In the article, **Christopher Rizek** discusses how IRS regulations on corporate tax shelters now require taxpayers to disclose if they use any tax shelters on the IRS's new lists of questionable or illegitimate tax strategies.

February 9, 2004

“Early Conclusions About That Reform Bill”

National Journal's Congress Daily

Trevor Potter comments on the Supreme Court's decision to uphold the new Bipartisan Campaign Reform Act.

February 4, 2004

“Advance Pricing Agreements: Finance Committee Staffer Says Review of Program Not Meant to Impede Progress”

Tax Management Transfer Pricing Report

Patricia Lewis comments on the IRS's recent decision to postpone processing of taxpayers cases while the Senate Finance Committee reviews whether corporations are using the Advance Pricing Agreement Program as a tax shelter.

(Similar articles have also appeared in the January 21st issue of the Tax Management Transfer Pricing Report and the January 20th issue of the Daily Tax Report.)

February 2, 2004

“Judge Declines to Remove Himself from Asbestos Cases”

The Associated Press

Elihu Inselbuch is mentioned in the article about a federal judge who refused to remove himself from overseeing five bankruptcy cases involving companies sued by people exposed to asbestos.

January 29, 2004

“Ad Flap in 3rd District Contest Mary Ose Says TV Spot Extolling Oller on Taxes is Illegal”

Sacramento Bee

In the article, **Trevor Potter** comments on an ad that appears to violate the new federal campaign law because it does not fully disclose a club sponsor taking responsibility for it. According to Potter, the purchase and broadcast of a political advertisement without the required oral disclaimer is a violation of federal law.