



2018 Spring Audit Session/Income Tax Conference
April 17-20, 2018
Boston, MA
 (As of 3/8/18)

Tuesday, April 17, 2018	
2:00 – 8:00 p.m.	Early Registration
4:00 – 6:00 p.m.	<p>State Tax Legislative Update with a Special Focus on State Conformity/ Non-conformity with Federal Tax Reform– 2018</p> <p>Open to all registered conference attendees, this pre-conference session will focus on state income/franchise tax legislative trends and hotspots in 2018, with a special focus on state conformity and non-conformity with key Federal Tax Reform business and international tax provisions. Active participation by attendees is encouraged. The discussion will also cover key 2018 COST priorities and initiatives relating to income/franchise taxes.</p> <p>Moderators: Ferdinand Hogroian, COST, Washington, DC Nikki Dobay, COST, Portland, OR</p> <p>Speakers: COST Staff</p>
6:00 – 7:30 p.m.	<p>Welcome Reception</p> <p>Don't miss this opportunity to jump start your income & franchise tax networking with friends and colleagues in a casual atmosphere. It's a great way to get geared up for the meeting.</p>
7:00 – 9:00 p.m.	COST Board of Directors Meeting
9:00 – 9:30 p.m.	STRI Board of Directors Meeting
Wednesday, April 18, 2018	
7:00 a.m. – 5:00 p.m.	Registration
7:00 – 8:00 a.m.	Continental Breakfast / Networking
8:00 – 8:15 a.m.	Welcome & Opening Remarks
8:15 – 9:30 a.m.	<p>The State Tax Implications of the Business Tax Reform Provisions of Federal Tax Reform</p> <p>The passage of the sweeping Tax Cuts and Jobs Act will radically alter the state income tax landscape in 2018 and beyond. This panel will focus on the historical and political evolution of the landmark legislation and the key provisions that impact state business taxation. The session will highlight emerging patterns in state conformity and non-conformity with federal tax reform and discuss significant differences in the fiscal impact at the federal level (tax cuts) and the state level (significant base expansion and tax increases).</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Valerie Dickerson, Deloitte*, Washington, DC Harley Duncan, KPMG*, Washington, DC Lee Zoeller, Reed Smith*, Philadelphia, PA</p>
9:30 – 11:30 a.m.	<p>COST Member Only Audit Session – Far West Audit Reports - Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, Washington</p> <p>COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the Far West region of the country.</p>
10:00 – 10:15 a.m.	Refreshment Break / Networking

11:35 a.m. – 12:35 p.m.	<p>Choice of 3 Breakouts</p>
	<p>Surviving Alternative Apportionment As more states abandon traditional three factor apportionment and withdraw from the Multistate Tax Compact, the risks of double taxation become greater. This session will discuss what taxpayers need to do to cope with that risk, and discuss the potential need for federal legislation to replace the Multistate Tax Compact.</p> <p>Speakers: Lindsay LaCava, Baker & McKenzie*, New York, NY Christopher Sullivan, Rath, Young and Pignatelli*, Concord, NH</p>
	<p>Filling in the Gaps – The Rise of Local Taxes Traditional income and sales taxes imposed at the state level are not sufficient to pay for all the costs of state and local government. There has been a trend towards local taxes some of which are not and cannot be true income or sales tax. This session will look at the most common of these types of taxes; examine the impact to business and provide legal basis for challenging them.</p> <p>Moderators: Nikki Dobay, COST, Portland, OR Fred Nicely, COST, Washington, DC</p> <p>Speakers: Marilyn Wethekam, Horwood Marcus & Berk*, Chicago, IL Robert Weyman, Reed Smith*, Philadelphia, PA</p>
	<p>Significant Legislative, Judicial, and Administrative Developments (Unrelated to Federal Tax Reform) The speakers in this session will update attendees on all that has happened in the state income tax arena from the last half of 2017 through April 2018. In addition, they will provide their projections on what they believe will be the major issues and developments through the remainder of 2018.</p> <p>Moderators: David Sawyer, COST, Washington, DC</p> <p>Speakers: Patrick Drennen, Grant Thornton*, Boston, MA Mitchell Newmark, Morrison Foerster*, New York, NY</p>
12:35 – 1:45 p.m.	Lunch – Networking
1:45 – 2:45 p.m.	<p>Choice of 3 Breakouts</p>
	<p>Resolving Controversies – Best Practices This session will address how businesses may tactically position and manage their daily corporate operations in preparation for imminent state income tax audits and controversies to help avoid unnecessary costs, disruptions, and expensive litigation, as well as increase overall tax department efficiency. The panelists will discuss contemporaneous documentation policies to better substantiate your company’s facts with respect to its state income tax filing positions and also consider potential opportunities available to businesses undergoing audit.</p> <p>Speakers: Jonathan Block, Pierce Atwood*, Boston, MA Jack Trachtenberg, Deloitte*, New York, NY</p>
	<p>COST Members Only Session – Financial/Business Services Litigation and Policy Discussion COST industry-member-only session during which participants share recent audit and litigation experiences involving financial/business services, and discuss policy reform issues in states throughout the country. The session will also review ideas and goals for the COST Financial Services Task Force – all COST industry members are welcome.</p>

	<p>Moderator: Ferdinand Hogroian, COST, Washington, DC</p>
	<p>Pass Throughs' Tax Issues in Light of Recent Federal Changes Multi-state companies have been increasingly using pass-through entities for their business operations, which creates unique state tax issues. With the recent passage of Federal Tax Reform and a lower corporate income tax rate, the issue of choice of entity will once again be a question for many businesses. For state tax purposes a change of entity may trigger taxing events in certain situations. The panelists will address those possible taxing events along with the how the preferential tax treatment at the state-level as compared to C corporations might impact a business's overall decision to change its entity type. Finally, the panel will also touch on the implications of the recently enacted federal partnership audit procedures and the model conformity statute that is being considered by the MTC.</p> <p>Moderators: Nikki Dobay, COST, Portland, OR Fred Nicely, COST, Washington, DC</p> <p>Speakers: Bruce Ely, Bradley Arant Boult Cummings*, Birmingham, AL Zach Gladney, Alston & Bird*, New York, NY</p>
2:45 - 3:00 p.m.	Refreshment Break / Networking
3:00 – 5:00 p.m.	<p>COST Member Only Audit Session – MTC and Northeast Regional Audit Reports <i>- MTC Audits, Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont</i></p> <p>COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes with the MTC and in the Northeast region of the country.</p>
5:15 – 5:30 p.m.	<p>First-Time Attendees and New Members Meet & Greet with COST Board and Staff Reception</p> <p>First-time attendees and new COST members get first crack at the bar and hors d'oeuvres, and a chance to meet with the COST Board and Staff.</p>
5:30 – 7:15 p.m.	<p>Reception – <i>Sponsored by Eversheds Sutherland, Morrison Foerster and PwC</i></p> <p>Now that your brain is filled with the most current income & franchise tax knowledge, reward your hard work with cocktails, lots of delicious food and good conversation. Share your thoughts and experiences from the first full day with others and gain new perspectives.</p>
7:30 p.m.	<p>Group Dinner</p> <p>Everyone is invited to a “dutch treat” group dinner with members of the COST staff at the Red Fish Grill to discuss the Conference, COST opportunities or anything else that comes to mind. Please stop by the Registration Desk to let us know that you will be there!</p>
Thursday, April 19, 2018	
6:30 – 7:15 a.m.	<p>Early Morning Walk</p> <p>Join other early risers for an invigorating early morning walk through the streets of the historic city of Boston and get your day off to a great start! Meet in the Lobby of the Hotel at 6:30 a.m.</p>
7:15 a.m. – 4:45 p.m.	Registration
7:15 – 8:30 a.m.	Continental Breakfast / Networking
7:30 – 8:30 a.m.	Early Morning Ethics Coffee Talk: Ethical & Professional Challenges Facing State Tax Professionals

	<p>The speakers will explore key tenets of ethical rules for attorneys and accountants working in the state tax arena, using vignettes and electronic audience polling. They will use practical examples to provide a greater understanding of ethical rules as they arise in the state tax context for both attorneys and accountants. This session will qualify for one hour of CPE/CLE certification for ethics credits.</p> <p>Speakers: TBA</p>
8:30 – 9:45 a.m.	<p>The State Tax Implications of the International Tax Provisions of Federal Tax Reform</p> <p>This session will focus on the state tax implications of the key international tax provisions of the Tax Cuts and Jobs Act. The panelists will discuss state conformity and non-conformity with GILTI, BEAT, FDII, and all the other new concepts introduced by federal tax reform to address base erosion. The panelists will analyze the state tax ramifications of the transition tax on repatriated earnings. Finally, the panelists will discuss differences in approaches and consequences among separate entity and combined reporting states.</p> <p>Moderator: Karl Frieden, COST</p> <p>Speakers: Jeff Friedman, Eversheds Sutherland*, Washington, DC Robert Ozmun, PwC*, Boston, MA J. Mark McCormick, EY*, Atlanta, GA</p>
9:45 – 10:00 a.m.	<p>Refreshment Break / Networking</p>
10:00 – 11:40 a.m.	<p>COST Member Only Audit Session – Puerto Rico and Southeast Regional Audit Reports - Puerto Rico, Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia</p> <p>COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in Puerto Rico and in the Southeast region of the country.</p>
11:45 a.m. – 12:45 p.m.	<p>Choice of 3 Breakouts</p>
	<p>The State Taxation of Foreign Source Income: Planning, Compliance and Constitutional Challenges Post-Federal Tax Reform</p> <p>Federal tax reform is drastically altering the state taxation of foreign source income – significantly extended the reach of many states beyond the waters’ edge. This session will drill down on some of the planning implications, administrative complexities, and constitutional infirmities of state conformity with the new federal “carrot” (FDII; different amortization periods for R&D) and “stick” (GILTI, BEAT) approach to domestic and foreign commerce. The discussion will address the impact of this new regime on existing state addback laws, factor representation, transfer pricing initiatives and state tax haven legislation. The panelists will also discuss potential “Kraft-like” constitutional challenges arising from differential treatment of foreign and domestic subsidiary income.</p> <p>Moderator: Ferdinand Hogroian, COST</p> <p>Speakers: Alysse McLoughlin, McDermott Will & Emery*, New York, NY Jeffrey Vesely, Pillsbury Winthrop Shaw Pittman*, San Francisco, CA</p>
	<p>State Tax Issues for a Mobile Workforce</p> <p>In today's economy, companies increasingly employ individuals and contractors across the country. Some travel throughout the states, others telecommute from home. In both cases, the presence of employees or contractors in other states creates a host of corporate</p>

	<p>income tax nexus issues as well as payroll withholding issues. In this program, we will provide an overview of the state income tax issues that arise with mobile workers, discuss legislative efforts to address these issues, and outline measures to address compliance issues on a multistate basis.</p> <p>Speakers: Nicole Johnson, Morrison & Foerster*, New York, NY Timothy Noonan, Hodgson Russ*, New York, NY</p>
	<p>Credits and Incentives - Technology, Forecasting and Making the Most of What You Got</p> <p>So you've won the tax incentives lottery? Now what? Learn how to make sure you effectively implement your incentives and track and forecast appropriately. Real world examples will be used to provide illustrations of the concepts covered.</p> <p>Speakers: Robert Boehringer, KPMG*, Philadelphia, PA Christopher Grissom, Bradley Arant Boult Cummings*, Birmingham, AL</p>
12:45 – 1:45 p.m.	Lunch – Networking
1:45 – 2:45 p.m.	Choice of 3 Breakouts
	<p>State Tax Issues in Merger & Acquisitions</p> <p>This session will provide an overview of key state income tax issues in mergers and acquisitions transactions including the implications of intercompany transactions, Sec. 338(h)(10), factor representation issues, state tax exposure issues, successor liability and bulk sale notification.</p> <p>Speakers: Brian Myers, Crowe Horwath*, Indianapolis, IN David Nagle, Sullivan & Worcester*, Boston, MA</p>
	<p>State Tax Ramifications of the New Revenue Recognition Standard and Impact of Federal Tax Reform on Valuations</p> <p>The recent revenue recognition standard, "Revenue from Contracts with Customers," which is effective in 2018 for calendar year public companies will be discussed in this session along with the impact of the federal tax reform. The new standard may impact a wide array of areas such as apportionment and net worth calculations. In addition, the presenters will discuss the impact of federal tax reform on corporate tax accounting, such as the valuation of deferred assets.</p> <p>Moderator: Patrick Reynolds, COST, Washington, DC</p> <p>Speakers: Smitha Hahn, EY*, Detroit, MI Christopher Martin, Grant Thornton*, Minneapolis, MN</p>
	<p>Sales Factor Sourcing</p> <p>In the never-ending saga of states modifying their sourcing rules, this session will cover the latest efforts of the states and the various options that taxpayers have to defend against any state overreach. The session will also analyze the sales factor sourcing implications of state conformity with the new international tax provisions included within federal tax reform.</p> <p>Speakers; Glenn Newman, Greenberg Traurig*, New York, NY TBA</p>
3:00 – 4:45 p.m.	COST Member Only Audit Session – Midwest Regional Audit Reports – Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin

	COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in Midwest region of the country.
5:00 – 7:00 p.m.	Vendor Fair Reception Drink, food, prizes and fun await as select vendors showcase their income and franchise tax services and products. Be sure to stay for the drawing at the end of the reception!
Friday, April 20, 2018	
6:30 – 7:15 a.m.	Early Morning Run Join COST's West Coast Counsel, Nikki Dobay, and fellow early-risers for a run through the historic streets of Boston. Get a jump on your day and enjoy an opportunity to meet other attendees and see some historic and beautiful sites. Meet in the lobby at 6:30!
7:00 a.m. – 12:30 p.m.	Registration
7:00 – 8:00 a.m.	Continental Breakfast/Networking
8:00 – 9:30 a.m.	State Tax Administrators' Roundtable Candid discussion by state tax administrators about the most pressing issues in their respective states. COST members will have the opportunity to ask those pressing questions in need of answers. Moderator: James Eads, Ryan*, Austin, TX
9:30 – 9:45 a.m.	Refreshment Break/Networking/Hotel Checkout
9:45 – 11:25 a.m.	COST Member Only Audit Session – West/Southwest Regional Audit Reports – Colorado, Kansas, Louisiana, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wyoming COST industry-member-only audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in West/Southwest region of the country.
11:30 – 12:30 p.m.	State Tax Tribunals – Perspectives from Both Sides of the Bench State Tax Court Judges and ALJs from Oregon, California, and Indiana share their insights from behind the bench, while COST practitioner partners provide a view from counsels' tables. We anticipate a lively discussion of what is working in these states and of whether there is any room for improvement. <ul style="list-style-type: none"> • Judges for the Panel: <ul style="list-style-type: none"> ○ Judge Martha Wentworth, Judge, Indiana Tax Court ○ Judge Bill Thompson, Thompson State Tax Consultants, Alexander City, AL (Retired Chief Judge of the Alabama Tax Tribunal) • Practitioners for the panel: <ul style="list-style-type: none"> ○ Derick Brannan, PwC*, Sacramento, CA ○ Carly Roberts, Eversheds Sutherland (US)*, Sacramento, CA
12:30 p.m.	Spring Audit Session/Income Tax Conference Adjourns

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