

# COST 2018 INTERMEDIATE/ADVANCED STATE INCOME TAX SCHOOL

May 20 – 24, 2018  
Georgia Tech Hotel and Conference Center  
Atlanta, Georgia  
**Preliminary Agenda – 4/10/2018**

Sunday, May 20, 2018	
6:00 – 8:00	Registration, Dinner and Evening Fun
7:30 – 8:00	Tablet Orientation
Monday, May 21, 2018	
7:30 – 7:45	<b>Tablet Orientation</b> – For those who weren't able to make Sunday's tablet orientation, now is the time.
7:45 – 8:30	<b>Welcome and Introduction</b> ( <i>joint session with Sales Tax School</i> ) Douglas Lindholm, COST, Washington, DC Charles Drury, COST, Washington, DC
8:30 – 12:00 8:30 – 10:15 Lecture 10:15 – 10:30 Break 10:30 – 12:00 Facilitated Breakout	<b>Jurisdictional Nexus</b> The ability of a state to impose a corporate income tax is limited in a number of different ways. This session will explore limits on state taxation that are imposed by the Due Process Clause, the Commerce Clause, P.L. 86-272, and specific state statutory and constitutional restrictions. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study. Instructors: Zach Gladney, Alston & Bird*, New York, NY Fred Marcus, Horwood Marcus & Berk*, Chicago, IL
12:00 – 1:30	Lunch/Networking – <i>Windfall Dining Room</i>
1:30 – 5:00 1:30 – 3:15 Lecture 3:15 – 3:30 Break 3:30 – 4:00 Lecture 4:00 – 5:00 Facilitated Breakout	<b>Determining the Corporate Income Tax Base</b> While most states start their taxable income computation with some reference to federal taxable income, every state makes adjustments. This session will explore the advanced nuances of state adjustments such as expense disallowance, depreciation, state taxes, tax exempt income and others. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study. Instructors: Andrew Appleby, Eversheds Sutherland (US)*, New York, NY Todd Lard, Eversheds Sutherland (US)*, Washington, DC
6:15 – 8:45	Vegas Night with COST at GA Tech Hotel
Tuesday, May 22, 2018	
8:30 – 11:45 8:30 – 10:00 Lecture 10:00 – 10:15 Break 10:15 – 11:45 Facilitated Breakout	<b>Special Issues in Apportionment and Allocation</b> Numerous states have adopted varied apportionment rules in recent years and, as a result, there is now little uniformity in state tax apportionment. This session will guide students through the maze of different apportionment schemes so that the students learn how to best apply the rules to their companies and clients. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study. Instructors: Richard Call, McDermott Will & Emery*, Boston, MA John Fletcher, Jones Walker*, Jackson, MS

11:45 – 12:15	<p><b>Emerging Issues Associated With Unclaimed Property</b> (<i>joint session with Sales Tax School</i>)</p> <p>States are getting more aggressive in the unclaimed property area. They are shortening their dormancy periods, asserting claims to new types of obligations, and hiring contingent fee auditors. Some states use unclaimed property as a source of revenue rather than acting as trustee for the true owners. While unclaimed property is not a tax, a company's tax function frequently owns the audit. Just when you thought dealing with a state income or transactional tax audit can be burdensome, wait until you wrestle with an unclaimed property audit with no statute of limitations or uniform procedures, limited protest rights, and very little guidance. This session will provide an overview of the states' unclaimed property practices and cover recent unclaimed property legislation and litigation. It will bring you up to date on the latest unclaimed property issues.</p> <p>Instructor: Michael Giovannini, Alston &amp; Bird*, Charlotte, NC</p>
12:15 – 1:15	Lunch/Networking
1:15 – 3:00 1:15 – 2:15 Lecture 2:15 – 3:00 Facilitated Breakout	<p><b>Return Filing Methods</b></p> <p>The lack of uniform return filing language and the adoption of varied filing methodologies has created a confusing landscape for taxpayers. This session will explore the key differences between the different filing methods (separate, combined, and consolidated) and examine the important variations within each filing method. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study.</p> <p>Instructors: Barbara Coulter, PwC*, Atlanta, GA Benjamin Muilenburg, PwC*, Sacramento, CA</p>
3:00 – 3:15	Refreshment Break/Networking
3:15 – 5:30 3:15 – 4:45 Lecture 4:45 – 5:30 Facilitated Breakout	<p><b>Pass-Through Entities and Their Corporate Owners</b></p> <p>Multistate businesses routinely utilize pass-through entities in their businesses. Pass-through entities are subject to a number of unique base, apportionment, and withholding rules that will be thoroughly discussed in this session. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study.</p> <p>Instructors: Will Thistle, Bradley Arant Boult Cummings*, Birmingham, AL Susan Ferlianto, Deloitte*, Atlanta, GA</p>
6:15 – 10:00	Optional Evening Outing – Bus to Lenox Mall/Atlantic Station
<b>Wednesday, May 23, 2018</b>	
8:00 – 9:15	<p><b>Other Business Activity Taxes: Cases &amp; Trends</b></p> <p>Several key states like Ohio, Texas, and Washington impose unique taxes on business that differ significantly from a traditional corporate income tax. This session will study how these taxes work and will also discuss the challenges and controversies that have emerged since their enactment.</p> <p>Instructors: William Nolan, EY*, Akron, OH John Trippier, Zaino Hall &amp; Farrin*, Columbus, OH</p>
9:15 – 12:15 9:15 – 10:15 Lecture 10:15 – 10:30 Break 10:30 – 12:15 Lecture	<p><b>Mergers and Acquisitions</b></p> <p>Issues with mergers and acquisitions routinely arise with all corporate taxpayers, especially those who restructure their operations. This session will closely examine the numerous complications that can arise from M&amp;A activity and offer possible solutions. Students will test and build on the key concepts learned in this class by breaking into small groups to discuss a case study.</p> <p>Instructors: Dianne Mimmo, PwC*, Boston, MA Scott Rock, PwC*, New York, NY</p>
12:15 – 1:45	Lunch/Networking

1:45– 5:30 1:45 – 2:30 Lecture 2:30 - 3:45 Facilitated Breakout 3:45 – 4:00 Break 4:00 – 5:30 Lecture	<b>Mergers and Acquisitions</b> <i>(continued)</i>
7:00 – 9:00	Optional Evening Activity – Trivia/Game night with COST at GA Tech Hotel

**Thursday, May 24, 2018**

9:00 – 10:00	<b>VAT – Best Practices to Address It and Does the VAT Have a Future in the U.S.</b> <i>(joint session with Sales Tax School)</i> – A Value Added Tax (VAT) is imposed by many countries and has been widely discussed as a viable option to make the US tax system more competitive internationally. This session will discuss how a VAT works, what typical issues arise in its administration, and what a national US VAT might mean to state and local taxes. Instructors: Harley Duncan, KPMG*, Washington, DC Karl Frieden, COST, Washington, DC
10:00 – 10:45	<b>Tax Legislative Activism</b> <i>(joint session with Sales Tax School)</i> – Many taxpayers complement their traditional tax planning and compliance functions by incorporating legislative advocacy. This session will discuss how tax legislative activism can help your company, and how to best sell its importance and value within your company. Instructors: Nikki Dobay, COST, Portland, OR Fred Nicely, COST, Washington, DC
10:45 – 11:00	Refreshment Break/Networking & Check Out
11:00 – 12:15	<b>Preparing for Audit Challenge and Controversy</b> <i>(joint session with Sales Tax School)</i> – Handling a state tax audit requires that a taxpayer not only know the substantive state tax law, but that they also know procedures and auditor personalities. This session will help students prepare for those audits and offer helpful tips to efficiently deal with audits that become difficult. Instructors: Doug Sigel, Ryan Law Firm*, Austin, TX Daniel Stanley, Honigman Miller Schwartz and Cohn*, Lansing, MI Tim Winks, PwC*, McLean, VA
12:15 – 1:00	Lunch/Networking
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