

2019 SALES TAX CONFERENCE AND AUDIT SESSION

February 25 - 28, 2019

ATLANTA, GA Final Agenda

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		MONDAY, FEBRUARY 25, 2019	
2:00 - 7:30	Registration – Salon II Foyer	r	
2:00 - 5:45	<ul> <li>Technology – Salon I, III, V</li> <li>This session will provide a gebusiness operations followed</li> <li>We'll follow that with an induyour technology implementate enhance your operations. Please</li> <li>Moderators:</li> </ul>	I by breakout sessions where sever ustry-only session to discuss every tion, this session will provide valua ease note that the demonstration br de Insurance Company, Columbus, o, IL <u>Demonstrations:</u> Avalara CertCapture* Deloitte* Grant Thornton* Ryan*	ailable to improve your transaction tax ral vendors will have their systems on display. one's observations. Regardless of the status of able information on current technology to reakout sessions are open to industry OH
6:00 - 7:30	Don't miss this opportunity t	valara CertCapture* – Charleston to jump start your sales tax network to get geared up for the meeting	<i>Meeting Room</i> king with friends and colleagues in a casual
		TUESDAY, FEBRUARY 26, 2019	
7:30 - 5:30	Registration – Salon II Foyer	<i>x</i>	
7:30 - 8:15	Continental Breakfast and	Networking – Charleston Meeting	Room
8:15 - 8:30	Arthur Parham, COST Chair, Charles Drury, COST Vice-Pro	sident & Executive Director, Washi Entergy Services, LLC, Woodlands, esident/Chief Operating Officer, Wa	TX ashington, DC
8:30 - 10:00	The <i>Wayfair</i> decision handed have not been shy over the p administratively and via legis case, explain how the states l	I down last June by the U.S. Suprem ast seven months in their reaction to slation. A panel of leading experts in have reacted, and provide prediction vill include interaction from the atter OST Sales Tax Conference.	<b>Ind the States' Reactions</b> – <i>Salon I, III, V</i> the Court has serious ramifications. The states to the <i>Wayfair</i> decision—both in this area will provide their analysis of the ons of what will evolve in the future. This endees and is the perfect session to kick off a

	Speakers:
	Loren Chumley, KPMG*, Nashville, TN Rick Heller, Deloitte*, Parsippany, NJ
	Kevin Herzberg, Grant Thornton*, Dallas, TX
	Stephen Long, Baker & McKenzie <sup>*</sup> , Dallas, TX
	Marc Simonetti, Pillsbury Winthrop Shaw Pittman*, New York, NY
	Eric Tresh, Eversheds Sutherland (US)*, Atlanta, GA
10:00 - 10:15	Refreshment Break & Networking - Salon II Foyer
10:15 - 11:05	Choice of 3 Breakouts
	<b>Best Practices for Handling Sales Tax Exemptions and Direct Payment Permits</b> – <i>Salon II</i> The speakers in this session will discuss best practices for handling the documentation and recordkeeping for exemptions and direct pay permits. Among other aspects, the speakers will discuss organizing the documentation the provides a paper trail and supports sales tax exemptions and manages direct pay permits.
	Speakers: Nicole Johnson, Morrison & Foerster*, New York, NY Jeff McGhehey, The Home Depot, Atlanta, GA Kathy Neggers, PwC*, Fort Myers, FL
	Taming Local Taxes by Enforcing State and Federal Constitutional Constraints – Salon IV         Local level tax jurisdictions are subject to the same federal limitations as state tax laws. In addition, there are important state constitutional limitations which the locals sometimes try to ignore. This session will cover the application of federal and state constitutional limitations to local taxes and discuss controversies related to locally administered taxes.
	Speakers:         Maria Todorova, Eversheds Sutherland (US)*, Atlanta, GA         Randy Varner, McNees Wallace & Nurick*, Harrisburg, PA         Hot Topics - East of the Mississippi - Salon I, III, V
	This session will cover litigation and legislative issues east of the Mississippi River. If you have extensive operations east of the Mississippi, this session is designed to keep you up to date and will help keep you out of trouble—"you will be in "the know" with what's going on east of the Mississippi. Speakers:
	John Fletcher, Jones Walker*, Jackson, MS Jennifer Jensen, PwC*, Washington, DC
11:10 - 12:00	Choice of 3 Breakouts
	Penalties, Penalties, Penalties – Are There Ways to Mitigate Them? – Salon I, III, V
	It's no secret that state tax administrators are getting tougher on imposing penalties and are more reluctant to abate penalties. This session will explain ways to avoid penalties and tips to reduce and/or eliminate penalties.
	Speakers: Mitchell Newmark, Morrison & Foerster*, New York, NY Mark Sommer, Frost Brown Todd*, Louisville, KY
	<b>Protecting Privacy w/Filing &amp; Registration Requirements – How Much Information is Too Much?</b> – <i>Salon II</i>
	The panelists in this session will discuss the states' increasing attempts to obtain officers' and employees' personal information as part of the filing and registration process. Is the information necessary and is it really legally required? Are there ways to avoid providing the information? The panelists will discuss these issues as well as discussing states' attempts to impose corporate officer and personal liability for unpaid transaction taxes. Whether the exposure is on you or your boss, or the boss's boss, this session will guide you through the maze of complicated state laws to collect information, including some new troublesome methods to collect "delinquent" taxes (which sometimes are not delinquent).
	Speakers: Michael Tedesco, Baker & McKenzie*, New York, NY Jennifer White, Reed Smith*, New York, NY
	ASC 450 – When Did You Last Review Your Reserves? – Salon IV Given the impact of Wayfair, has your company conducted a comprehensive review of its financial reserves? Wayfair's impact is being felt in a lot of situations and the combination of Wayfair's potential nexus change and the requirements of ASC 450 (former FAS 5) is one of those situations. This session will guide you through the best practices for setting, or resetting, financial reserves.

	Speakers:
	Marc Grossman, Crowe*, Atlanta, GA
42.00.4.00	Sherry Lam, Grant Thornton*, Miami, FL Lunch & Networking – Charleston Meeting Room
<u>12:00 - 1:00</u> 1:00 - 2:10	Choice of 3 Breakouts
1.00 - 2.10	<b>What is the Future of Sales Tax Post-Wayfair?</b> – Salon I, III, V Much of the attention post-Wayfair has been directed at the impact on small and medium-sized internet sellers who are collecting and reporting the states' sales/use taxes. However, Wayfair will require all organizations, regardless of size, to rethink and rework how they conduct business to properly and efficiently collect and remit sales/use taxes. While many aspects of Wayfair are covered in the general session, the attendees in this session will gain insight into the unique business impacts Wayfair will have on large multinational business structures (and businesses with simpler structures). Issues with retroactivity, economic nexus, and enforcement of conflicting jurisdictional policies will be addressed in this session, along with issues such as gaps in reporting technology, record retention, matrix development, and invoicing and appropriate line item billing to comply with all applicable jurisdictions.
	Speakers: Mark Loyd, Bingham Greenebaum Doll*, Louisville, KY Robert Peters, Duff & Phelps*, Chicago, IL <b>Planning Tips to Address Mergers, Acquisitions and Divestiture Transactions</b> – <i>Salon 11</i> Mergers, acquisitions, and divestitures can create a lot of complicated tax issues, in addition to all the emotional issues they create. The speakers in this session will explain planning tips to guide you through a process to help reduce sales and use tax (and other transaction tax) problems faced when dealing with one of these M.A.D. transactions. Attending this session will allow you to avoid those nasty nightmares of wondering if all the issues were addressed.
	Speakers:         Scott Kocienski, Dykema Gossett*, Bloomfield Hills, MI         Kelvin Lawrence, Baker & Hostetler*, Columbus, OH         Dan Schulder, Cozen O'Connor*, Harrisburg, PA         Making the Most Out of Credits and Incentives – Salon IV         This session will cover the steps you need to take to make you aware of all transaction tax incentives that are available and ways to make some available based on changes business operations. Additionally, tips on how to best comply, including documentation to support compliance, with a credit or incentive will be covered.         Lastly, if your forecast did not meet a requirement, best practices to deal with those compliance issues will be covered.
	Speakers: Robert Calafell, RSM US*, Philadelphia, PA Christopher Grissom, Bradley Arant Boult Cummings*, Birmingham, AL Christopher Wilson, Waller Lansden Dortch & Davis*, Nashville, TN
2:20 - 3:30	Choice of 3 Breakouts
	<b>Hot Topics – West of the Mississippi</b> – <i>Salon I, III, V</i> This session will cover litigation and legislative issues west of the Mississippi River. If you have extensive operations west of the Mississippi, this session is designed to keep you up to date and will help keep you out of trouble—you will be in "the know" for all the important transaction tax issues west of the Mississippi.
	Speakers: Kirk Lyda, Jones Day*, Dallas, TX Curtis Osterloh, Scott, Douglass & McConnico*, Austin, TX Timothy Van Valen, Askew & Mazel*, Albuquerque, NM
	<b>Tax Implications When Using &amp; Accepting Cryptocurrency – Should I Care?</b> – <i>Salon II</i> This session will first explain what cryptocurrency is and the different formats it can take. Next, the speakers will guide you through the tax issues faced when using and/or accepting cryptocurrency and how to stay out of trouble if you start using/accepting cryptocurrency.
	Speakers: Will Ault, Crowe*, New York, NY Joel Waterfield, Grant Thornton*, McLean, VA Status of the Streamlined Sales Tax Project in the Post- <i>Wayfair</i> World – <i>Salon IV</i>
	Over the last couple of years questions over the importance and relevance of the Streamlined Sales Tax Project have been raised by almost all the attendees at the COST Sales Tax Conference. This session will

	cover issues the Streamlined Sales Tax Governing Board is working on post- <i>Wayfair</i> to stay relevant and will discuss its future in attempting to simplify and provide additional uniformity to the states' sales and use taxes.
	Speakers:
	Craig Johnson, Streamlined Sales Tax Governing Board, Westby, WI
	Carolynn Kranz, Industry Sales Tax Solutions*, Washington, DC Fred Nicely, COST, Washington, DC
	Patrick Reynolds, COST, Washington, DC
3:30 - 3:45	Refreshment Break & Networking - Salon II Foyer
3:45 - 5:30	COST Members-Only Audit Session – Phase 1 - Focused Discussion on Handling Disputes and Dealing
	with Difficult Audits and Auditors – Salon I, III, V This is seen a barrier to mention the state of a live barrier of the state of the
	This is your chance to participate in phase 1 of a lively discussion of transaction tax audit issues in the states along with the ability to provide suggestions and audit strategies for dealing with them.
	Moderators:
	Fred Nicely, COST, Washington, DC Pat Reynolds, COST, Washington, DC
	Facilitators: Steve Barela, Arizona Public Service Company, Phoenix, AZ
	Adam Farley, The Proctor & Gamble Co., Cincinnati, OH
	John Goss, Newell Brands, Atlanta, GA
5:45 - 6:00	Toni Mincic, CenturyLink, Broomfield, CO         First-Time Attendee/New Member Meet & Greet with Board and Staff Reception – Charleston Meeting
5:45 - 6:00	Room
	If you are a first-time attendee and/or new member, please come early to get a head start on your
6:00 - 7:00	networking. Reception – Charleston Meeting Room
6:00 - 7:00	Network, network, and network – grab some refreshments and appetizing snacks and chat with some new
	friends to conclude the first full day of the COST Sales Tax Conference.
7:30	<b>Group Dinner – South City Kitchen Buckhead</b> Everyone is invited to join other COST members for dinner at the South City Kitchen
	Buckhead! Don't miss this opportunity to mingle with fellow tax professionals and expand your
	professional network. Please stop by the Registration Desk to let us know that you will be there or
	contact Judy Slotnik. Folks will pay their own way.
	WEDNESDAY, FEBRUARY 27, 2019
6:45 – 7:45	<b>Early Morning Walk</b> Join COST Membership Coordinator Judy Slotnik and fellow early-risers for a brisk walk through the streets
	of Atlanta and the Buckhead area. Get a jump on your day and enjoy an opportunity to meet other attendees
	and see some beautiful sites. Meet in the hotel lobby at 6:45.
7:15 - 5:15	Registration – Salon II Foyer           Continental Breakfast – Charleston Meeting Room
7:15 - 8:15	State Tax Administrators' Roundtable - Get the Gospel from Key Sales Tax Administrators - Plenty of
8:15 - 9:45	Time Will Be Allotted for Q&A – Salon I, III, V
	This roundtable discussion will feature key state sales tax administrators discussing the latest news,
	developments, and outlook from a transaction tax perspective in their respective states. These administrators will also provide insights on what their states are planning in the transaction tax arena for
	2019 and beyond. This session will provide an opportunity to ask important questions, either confidentially
	or face-to-face, directly to the sales tax administrators.
	Moderator:
	Janette Lohman, Thompson Coburn*, Saint Louis, MO
	Panelists:
	Karey Barton, Texas Comptroller of Public Accounts, Austin, TX Sherry Hathaway, Tennessee Department of Revenue, Nashville, TN
	Amy Oneacre, Georgia Department of Revenue, Atlanta, GA
	Kimberly Robinson, Louisiana Department of Revenue, Baton Rouge, LA
	Ginny Upchurch, North Carolina Department of Revenue, Raleigh, NC         Refreshment Break & Networking – Salon II Foyer
9:45 - 10:00	Nen connent di car a networking - outon n royer

12:35 - 1:35 1:35 - 2:35	Aziza Farooki, COST, Washington, DC         Lunch & Networking - Charleston Meeting Room         Choice of 3 Breakouts         Taxation of Mixed Transactions and the True Object Test and Bundled Transactions - Salon II         The speakers in this session will discuss the taxability of mixed transactions and contracts, especially large projects that involve multiple types of services, technology and products, and how individual items are analyzed in conjunction with the true object test and the impact on taxability and sourcing.         Speakers:
	Deborah Bierbaum, AT&T Services, Inc., Bedminster, NJ Speakers: Annabelle Canning, Capitol Tax Partners, Washington, DC
	Speakers: Roger Pfaffenberger, Ryan*, Dallas, TX Bradley Tomlinson, Zaino Hall & Farrin*, Columbus, OH <b>Navigating Federal Legislation – What's Out There and What Might be Enacted?</b> – <i>Salon IV</i> Post- <i>Wayfair</i> (and even pre- <i>Wayfair</i> ) federal legislation has been introduced in Congress that would affect state taxation. Some legislation is very transaction specific, <i>e.g.</i> , the Marketplace Fairness Act, others deal with business activity taxes ( <i>e.g.</i> , Business Activity Tax Simplification Act), and still others are targeted towards specific issues ( <i>e.g.</i> , Digital Goods and Services Act). The speakers in this session will provide an overview of these bills, discuss the issues involved, and handicap the odds of legislation passing in the 116 <sup>th</sup> Congress. Moderator:
	Speakers: Gregg Barton, Perkins Coie*, Seattle, WA David Froling, Vorys, Sater, Seymour and Pease*, Columbus, OH Sampling – Make Sure it is Appropriately Used on Audit and Refunds – Salon I, III, V Block sampling, statistical sampling, make it up as you go sampling – the different types of sampling used by the states and ways to make sure sampling is appropriately used in an audit will be covered in this session. Additionally, when tax is overpaid, sampling may also be an option to obtain a refund. The speakers in this session will bring you up to date on the latest developments in the sampling arena and provide ideas and techniques to achieve the best results.
	<b>Effective Ways to Manage Gross Receipts Taxes</b> – <i>Salon II</i> While gross receipts can appear to be simple, the definition of taxable gross receipt and how it is sourced to a state (or local jurisdiction) can quickly make a complicated mess to comply with. This session will cover ways to effectively and efficiently deal with gross receipts taxes.
11:35 - 12:35	Speakers: Charles Drury, COST, Washington, DC Doug Lindholm, COST, Washington, DC Choice of 3 Breakouts
11:10 - 11:30	Fred Nicely, COST, Washington, DC         Pat Reynolds, COST, Washington, DC         Navigating COST's Website & Resources - Focus on Transaction Taxes - Salon I, III, V         This session will cover COST's website and ways to navigate it to provide you with the information you need.         COST directory, forums, testimony, studies, calendar of events, etc. will be covered. Also, COST's legislative and legal advocacy efforts will be discussed.
	business inputs? Speakers: Karl Frieden, COST, Washington, DC
10:00 - 11:10	<b>Efforts to Improve Sales Tax Systems</b> – <i>Salon I, III, V</i> This session will cover the COST Sales Tax Systems Scorecard and the COST Administrative Scorecard, and will address other initiatives across the country to improve the administration of transaction taxes. What can we do to improve the "F" graded states (Colorado, Louisiana, and New Mexico) and reduce the states' taxes on

To convince an auditor to strike a proposed assessment on a contested transaction, you need to provide more than just a copy of an invoice. At a minimum, you should enhance your advocary by presenting supporting evidence such as photographic, business records, process diagrams, and alfidavits. In this session, the speakers will explore ways to present such evidence in a clear and convince auditors of your right to relief on contested transactions.         Speakers:       David Gutowski, Reed Smith*, Philadelphia, PA Mark Richards, Ice Miller, Indianapolis, IN         Digital Goods, Digital Services, Cloud Computing - Demystifying These Concepts - Saton 1/11.V         Olary you have likely heard a presentation before on digital goods and services and the cloud computing world—However, you are not alone if you are still trying to figure it all out. This session will demystify these issues by explaining what they are and why they create tax issues. The problem states will be highlighted and attempts to enact federal legislation to address concerns about state attempts to tax the cloud will be addressed by the presenters.         Speakers:       Choice of 3 Breakouts         2019 Transaction policite', Atlanta, CA       Zol19 Transaction you passed legislation and others are exploring enacting legislation to require marketplace facilitators to collect and remit the states states taxes. And, some are using consignment and other leads states. States and, some are using consignment and other are eager to process you tax payments but altitle less receptive when you file a refund claim to get back an illegislation to seller of the lead resolut of teal.         Speakers:       Jones tates have already passed legislation and others are exploring enacting legislation to require markeplace facilitators to	1	<b>Telling the Story - Effective Audit Advocacy</b> – <i>Salon IV</i>
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3:45 – 4:00 Refreshment Break & Networking – Salon II Foyer		Moderator: Lauren Colandreo, Bloomberg Tax, Arlington, VA Speakers: Fred Nicely, COST, Washington, DC Leah Robinson, Mayer Brown <sup>*</sup> , New York, NY
	3:45 - 4:00	Refreshment Break & Networking - Salon II Foyer

4:00 - 5:15	Choice of 3 Breakouts
	<b>Use of Bot-Based Technology</b> – <i>Salon I, III, V</i> The panelists in this session will discuss what tax professionals need to know about emerging technologies and how they are altering the ways business is conducted. These "problems" create "opportunities" for tax departments – including the use of innovative technologies, such as "bots." The panelists will be encouraging audience participation as they consider what's actually working to automate routine tax functions and manage data.
	Speakers: Erin Kirsch, EY*, Atlanta, GA
	<b>Unclaimed Property Update</b> – <i>Salon II</i> This session will focus on recent significant developments in the unclaimed property arena, including the use of estimation in unclaimed property audits, state attempts to use unclaimed property laws to expand the nature of the obligation to the creditor, the escheatment of foreign-owned property, and whether federal common law is applicable only to disputes between states. The speakers will also discuss recent legislation, including the Revised Uniform Unclaimed Property Act and the ABA Model Unclaimed Property Act.
	Speakers: Jeff Henshall, Ryan*, Atlanta, GA Patrick Reynolds, COST, Washington, DC
	<b>Going Global - How to Comply With VATs</b> – <i>Salon IV</i> Businesses today are global and rarely operating in a single country. This session will explain the value- added-tax (VAT) structure and discuss the differences between and the pros and cons of VATs and sales taxes. This session will also explore U.Sbased businesses' requirements to register for other countries' VATs and how to best administer those taxes from within the US. After this session, you will know when a business is required to register and collect a VAT in a foreign country (the rules often differ from the US "substantial nexus" requirement)
	Speakers: Frank Sangster, KPMG*, Philadelphia, PA Diane Yetter, Yetter*, Chicago, IL
5:30 - 7:30	Vendor Fair Reception - Charleston Meeting Room         Come join our Vendors, stay until the end and have a chance to win a great prize! Thanks to our Vendors:         Alvarez & Marsal Taxand*         Avalara CertCapture*         Bloomberg Tax         COST         Crowe*         Sovos
	THURSDAY, FEBRUARY 28, 2019
6:45 - 7:30	<b>Early Morning Run</b> Join COST Senior Tax Counsel Nikki Dobay and fellow early-risers for a run through the city of Atlanta. Get a jump on your day and enjoy an opportunity to meet other attendees. Meet in the hotel lobby at 6:45.
7:00 - 11:45	Registration - Salon II Foyer
7:00 - 8:15	Continental Breakfast – Charleston Meeting Room
7:15 – 8:15	Coffee, Donuts, and Early Morning Ethics Talk: Ethics and Professional Responsibilities for Transaction Tax Professionals – Salon II It's early, but what a great time to learn about ethics! Come to this early morning session and be awakened by entertaining (and informative) speakers. They will cover new and breaking ethical issues related to transaction taxes. Speakers: Cover Abbett, Abreene & Mercel Terrer dt, Atlante, CA
	Greg Abbott, Alvarez & Marsal Taxand*, Atlanta, GA Curtis Osterloh, Scott, Douglass & McConnico*, Austin, TX
8:20 - 9:20	<b>Taking the Bite Out of Difficult Audits</b> – <i>Salon I, III, V</i> Sales and use tax audits (and other transaction tax audits) are not going away and continue to be a struggle for many companies. This session will focus on hot issues and trends in sales and use tax audits, along with discussing best ways to approach an audit from a pre-audit, current audit, dispute and appeal resolution perspectives.

	Speakers:
	Carolynn Kranz, Industry Sales Tax Solutions <sup>*</sup> , Washington, DC
	Diann Smith, McDermott Will & Emery <sup>*</sup> , Washington, DC
	James Taylor, Alliance Data Systems, Columbus, OH
9:20 - 9:45	<b>Sales Tax Committee Meeting – Open to Everyone</b> – <i>Salon I, III, V</i> Bring your ideas to discuss the transaction tax issues that COST should focus on along with providing transaction tax topics for this year's transaction tax workshop in Las Vegas (September), the COST Annual Meeting (Washington DC – October), and next year's Sales Tax Conference. Issues COST should advocate as a result of <i>Wayfair</i> will also be discussed.
9:45 - 10:10	Refreshment Break & Networking, and Hotel Check Out
10:10 - 11:45	<b>COST Members-Only Audit Session – Phase 2 Focused Discussion on Handling Disputes and Dealing</b> <b>with Difficult Audits and Auditors – Including Local Tax Jurisdictions &amp; "Real-Time" Tax Remittance</b> <b>initiatives</b> – <i>Salon I, III, V</i> This is your chance to participate in Phase 2 of a lively discussion of transaction tax audit issues in states, including an additional focus on local tax jurisdictions and some "real-time" remittance initiatives. Join your fellow COST members in providing suggestions and audit strategies to deal with these issues.
	Moderators: Fred Nicely, COST, Washington, DC Patrick Reynolds, COST, Washington, DC
	Facilitators: Steve Barela, Arizona Public Service Company, Phoenix, AZ Adam Farley, The Proctor & Gamble Co., Cincinnati, OH John Goss, Newell Brands, Atlanta, GA Toni Mincic, CenturyLink, Broomfield, CO
11:45	Sales Tax Conference Adjourns
12:00 - 1:30	COST Board of Directors Meeting – Salon VI
	This meeting is closed and is open only to COST Board Members
1:30 - 2:00	STRI Board of Directors Meeting – Salon VI
	This meeting is closed and is open only to STRI Board Members

\*Denotes Practitioner Partners