



Anton L. Janik, Jr.

Member

Email: ajanik@mwlaw.com

Phone: (501) 688.8888

Fax: (501) 918.7888

Practice Areas

Information Privacy, Security and Data Rights
Tax Law
Commercial Litigation
Class Action Defense
Tax Controversy and Litigation

Education

Georgetown University Law Center
LL.M., Taxation - (2007)

University of Denver College of Law
J.D. - (2003)

Middlebury College
B.A., Russian language - (1995)

Certified Information Privacy
Professional/United States (CIPP/US)

Certified Information Privacy
Professional/Europe (CIPP/E)

Bar Admissions

Anton Janik is an experienced trial attorney with a specialized practice in complex litigation, tax controversies and information security and privacy. Anton advises businesses and individuals on tax controversies, internal investigations and corporate compliance, privacy, and data rights and protection matters. He is a Certified Information Privacy Professional/United States (CIPP/US) and a Certified Information Privacy Professional/Europe (CIPP/E). He also leads the Tax Controversy and Litigation practice area and co-leads the Information Security & Privacy practice area. Anton previously served as a Trial Attorney with the United States Department of Justice in Washington, D.C.

Experience

- Represents business entities and high net worth individuals before state and federal tax authorities in civil and criminal matters concerning domestic and international tax issues.
- Provides advice and counsel at whatever stage tax issues arise—including the planning and development stage, during the administrative process at federal and state examinations and appeals, and through litigation in state courts, the U.S. Tax Court, U.S. District Courts, the Court of Federal Claims, the U.S. Courts of Appeal and the U.S. Supreme Court
- Advises business and corporate clients on cybersecurity issues including breach preparedness and breach response.
- Represents business entities and individuals in internal and external investigations and related litigation.
- Advises clients in both asset seizure and offshore reporting matters.
- Serves in a multitude of roles during discovery, case workup and trial on the Class Action, Product Liability, and Drug & Medical Device defense team.
- Appointed as a Trial Attorney in the Tax Division of the U.S. Department of Justice in Washington, D.C., and investigated and prosecuted numerous tax matters throughout the Ninth and Tenth Circuits including tax shelter transactions falling under Notice 2000-44 / Son

Arkansas
Colorado

of BOSS and Notice 2003-55 / Offshore Lease Strip Transactions.

Representative Experience

Corporate Investigations & Litigation

- *State of Arkansas v. Arrowhead Investments, et al., Case No. 60CV-10-4678 (Pulaski County 2010)* (Deceptive Trade Practices/Pay Day Lending)
- *Associated Electric Cooperative, Inc. and Staple Cotton Cooperative Association v. Town of Dell, et al., Case No. 2012-64 (Mississippi County 2012)* (Excessive Privilege Tax Assessments)
- *Bailey Properties, LLC, Bailey Family Revocable Living Trust, TMP v. Commissioner of Internal Revenue, Case No. 20977-11 (U.S. Tax Court 2011)* (Readjustment of Partnership Items)
- *Colorado Gas Compression, Inc. v. United States, 98 A.F.T.R.2d 2006-7501 (D.Colo. 2006)* (IRS Investigative Summons)
- *Common Compounds, Inc. v. Cecot, et al., 13-cv-5203 (W.D. Ark. 2013)* (Breach of Contract, Conversion, Unfair Competition)
- *C.L. George & Sons Limited, Cathy G. Evans, Tax Matters Partner v. Comm'r of Internal Revenue, 15575-16 (U.S. Tax Court 2016)* (Appeal of Audit Adjustments)
- *Dyke, Henry, Goldsholl & Winzerling, P.L.C. v. Chase Bank USA, N.A., et al., Case No. CV08-7020-13 (Pulaski County 2008)* (Lien Priority)
- *Gastineau v. DirectBuy, Inc., 13-cv-708 (E.D. Ark. 2013)* (Putative Class Action: Robocalling)
- *Georges, Inc. and Subsidiaries v. Comm'r of Internal Revenue, 16802-16 (U.S. Tax Court 2016)* (Appeal of Audit Adjustments)
- *Goodner et al. v. Clayton Homes, Inc., et al., 12-cv-4001 (W.D. Ark. 2012)* (Class Action, Manufactured Homes)
- *G.T. Schroeder, M.D., P.A. v. Comm'r of Internal Revenue, 152-16 (U.S. Tax Court 2016)* (Appeal of Audit Adjustments)
- *JAK Application LLC v. AGCO Corporation, et al., 18-cv-179 (E.D. Ark. 2018)* (Breach of Contract)
- *King v. TIAA-CREF Individual & Institutional Services, LLC et al., 15-cv-726 (E.D. Ark. 2015)* (Interpleader)
- *Lowry Farms, Inc. v. First Arkansas Insurance/Pine Bluff, Inc. v. National Council on Compensation Insurance, Inc., CV-2015-070-2 (Bradley County 2015)* (Application of Arkansas Insurance Rule and Regulation 54)
- *Nighthawk Radiology Services, LLC et al. v. DeQueen Medical Center, Inc., 10-cv-4028 (W.D. Ark. 2010)* (Breach of Contract)
- *Oklahoma Appraisal and Assessment, Inc., et al. v. Arkansas CAMA Technology, Inc., et al., Case No. 2008-9723 (Pulaski County 2008)* (Deceptive Trade Practices/Computer Software)
- *James Smiley, et al. v. First National Bank, 43-cv-20-531 (Lonoke County 2020)* (Class Action, APSN Debit Card Transactions)

- *Starnet Insurance Company v. Shepard Group, LLC et al.*, 18-cv-2026 (W.D. Ark. 2018) (Declaratory Judgment: Aircrash)
- *United States ex rel. Rille and Roberts v. Accenture, LLP et al.*, 04-cv-985 (E.D.Ark. 2004) (Qui Tam – Government Contracts)
- *United States v. Mikel C. Kullander*, 16-cr-00268 (E.D. Ark. 2016) (Alleged Conspiracy and Fraud Against the United States)
- *United States v. Little John Trucks, Inc., Case No. 11-cv-492* (E.D.Ark. 2011) (Reduce Assessments to Judgment)
- *United States v. Montgomery Global Advisors V LLC, Case No. 03-cv-733* (N.D.Cal.2006) (IRS Investigative Summonses and Criminal Contempt)
- *United Systems of Arkansas, Inc. v. Keith Reed, et al., Case No. 60CV-2011-2232* (Pulaski County 2011) (Breach of Contract)
- *Wilson v. Clayton Homes Inc., et al.*, 09-cv-00775 (E.D. Ark. 2009) (Putative Class Action: RESPA and TILA)

Tax Shelter Investigations

- *Central Valley Ag Enterprises v. United States*, 326 B.R. 807 (E.D.Cal. 2005) (IRS Notice 2003-55/Offshore Lease Strip Transactions)
- *In the Matter of Tax Liabilities of John Does (In re Paypal, Inc.)*, 05-cv-4167 JW (N.D.Cal. 2005) (IRS Rev. Proc. 2003-11/Offshore Voluntary Compliance Initiative)
- *Sala v. United States*, 99 A.F.T.R.2d 2007-1709 (D.Colo. 2007) (IRS Notice 2000-44/Son of B.O.S.S.)

Various Tax Matters

- *Abell v. Sothen*, 97 A.F.T.R.2d 2006-1804 and 1815 (D.Colo. 2006) (IRS Collections Summons)
- *Aramark Educational Services, LLC v. City of Pine Bluff, Arkansas Advertising and Promotion Commission*, 35CV-22-457 (Jefferson County 2022) (Whether A&P Tax applies to University meal plans)
- *Arkansas Teacher Retirement System v. Brenda Short, et al., Case No. 26CV-09-1707* (Pulaski County 2009) (Refund of property taxes erroneously paid)
- *ARM Financial Corp. v. Daniel Ahlstrom, Case No. 03-cv-1264* (D.Nev. 2005) (Interpleader)
- *Austin v. Archchoice, LLC, Case No. CV 2006-3868* (Pulaski County 2010) (Quiet Title/Tax Seizure)
- *Cal-Western Reconveyance Corp. v. Residential Property, Case No. 04-cv-564* (S.D.Cal. 2004) (Interpleader)
- *United States v. Community First National Bank – East, Case No. 03-cv-155* (D.Wyo 2003) (Reduce Assessment to Judgment and Foreclosure)
- *Devin v. United States*, 423 F.Supp.2d 1232 (D.Wyo. 2006) (Enforceability of Tax Compromise Agreement)

- *Frymark v. United States*, Case No. 02-cv-845 (D.Md. 2004) (Responsible Officer/Trust Fund Recovery Penalty)
- *Green v. United States*, 434 F.Supp.2d 1116 (D.Utah 2006) (Foreclosure Redemption)
- *Hernandez v. State of Wyoming*, Case No. 04-cv-134 (D.Wyo. 2004) (Separation of Powers Between State and Federal Governments in Tax Collection)
- *Holman v. United States*, 95 A.F.T.R.2d 2005-1165 (D.Utah 2005) (Nominee Asset Transfer)
- *In re Pugh*, 315 B.R. 889 (B.Nev. 2004) (Responsible Officer/Trust Fund Recovery Penalty)
- *Johnson v. Commissioner of Internal Revenue*, Case No. 25530-10 (U.S. Tax Court, 2010) (Qualified Residence Interest Deduction, Domestic Production Activities Deduction)
- *Jones v. United States*, Case No. 03-cv-762 (D.Colo. 2003) (IRS Collections Summons)
- *Leach v. United States*, 98 A.F.T.R.2d 2006-6199 (D.Mont. 2006) (Tax Exempt Securities)
- *Lee v. Bass*, 345 F.Supp.2d 947 (D.Mont. 2004) (Anti-Injunction Act)
- *Liniger v. United States*, Case No. 05-cv-381 (D.Colo. 2005) (Hobby Losses)
- *Lister v. United States*, Case No. 03-cv-662 (D.Utah 2004) (Collections Due Process)
- *Murphy v. Marker, et al.*, 97 A.F.T.R.2d 2006-2209 (D.Utah 2006) (IRS Collections Summons)
- *Renn v. Wilfley (In re Wilfley)*, Case No. 06-3231 (B.Or. 2006) (Alleged Tax Fraud)
- *Rosson v. United States*, 127 Fed.Appx. 398 (10th Cir. 2005) (Anti-Injunction Act)
- *Smith v. United States*, 98 A.F.T.R.2d 2006-8093 (D.Utah 2006) (Responsible Officer/Trust Fund Recovery Penalty)
- *Stanojevich v. United States*, Case No. 05-mc-9141 and 05-mc-1299 (D.Or. 2005) (9th Cir. 2006) (IRS Collections Summons)
- *United States v. Clarence A. Joles, Sr.*, 22-CR-40011-SOH (W.D. Ark. 2022) (False Federal Income Tax Return)
- *United States v. Leslie E. Price*, 16-cr-50014 (W.D. Ark. 2016) (False Federal Income Tax Return)
- *United States v. Travers*, Case No. 03-cv-2112 (E.D.Cal. 2004) (Priority of Tax Liens)
- *United States Beef Corporation v. Larry Walther, Secretary, Arkansas Department of Finance and Administration*, 60CV-22-2158 (Pulaski County 2022) (UDITPA)
- *Vision Service Plan v. United States*, 96 A.F.T.R.2d 2005-7440 (E.D.Cal. 2005) (Revocation of Tax Exempt Status)

Professional Recognition

- *The Best Lawyers in America*®: Litigation and Controversy - Tax (2019-2024)
- *Mid-South Super Lawyers*: Tax (2013-2023)
- 2023 *Mid-South Super Lawyers* Top 50 in Arkansas

- Martindale-Hubbell peer review rating: AV® Preeminent™
- Arkansas Bar Association Presidential Award of Excellence (2022)
- Arkansas Bar Association Golden Gavel Award (2021)
- Arkansas Bar Association Maurice Cathey Award (2015)
- *Arkansas Business* 40 Under 40 (2012)
- U.S. Attorney General's Outstanding Attorney Award (2005 and 2006)
- Order of St. Ives, University of Denver College of Law (2003)

Involvement

- Arkansas Bar Association
- Board of Trustees
- Legislation Committee (2022-2023)
- Board of Directors, *Arkansas Law Review*
- Editorial Advisory Board, Arkansas Bar Association publication *The Arkansas Lawyer*
- Member
- Chair (2016-2022)
- Co-author of Arkansas Privacy Law Overview for OneTrust DataGuidance Regulatory Research Platform
- Arkansas Foodbank
- President, Board of Directors (2022, 2023)
- Member, Investment Committee
- Member & Past Chairman, Governance Committee
- Former President, Arkansas Foodbank Network Harvesters (2011)
- Board of Directors, Arkansas Rice Depot
- Invited Participant, U.S. Department of Homeland Security's 2016 Cybersecurity Tabletop Exercise at the Clinton School of Public Service
- Committee Member, Arkansas Bar Association Judiciary Committee (2012-2014)
- Appointed as a Special Master to perform a financial investigation and issue a Special Master Report in *Hall v. Hall*, DR 2010-407 (Pulaski County 2011)
- Committee Member, Arkansas Bar Association Judicial Nominations Committee, (2011)
- Former Member, Professional Advisory Council, Arkansas Children's Hospital Foundation
- Former Member, Arkansas Zoological Foundation Board of Directors (2010-2016)
- Former Member, Downtown Little Rock Partnership Board of Directors (2009-2015)
- Former Member, UAMS Consortium (2009-2014)

- Adjunct Professor, UALR College of Business (2008-2011)
- Senior Tax Controversy Advisor, *The Tax Lawyer* (2006-2007)
- Staff Editor, *Denver University Law Review*
- Managing Editor, *Denver Journal of International Law and Policy*