

# tax controversy and litigation

## TEAM LEADER

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Mitchell Williams' Tax Controversy and Litigation practice team is headed by a former U.S. Department of Justice tax litigator and is focused upon issues arising among our corporate and high net worth individual clients. The team's familiarity with the substantive, procedural and evidentiary rules allows our results-oriented attorneys to plan for action, anticipate issues, and develop effective strategies to handle our clients' federal, state and local tax matters in an efficient and well-reasoned manner. We tailor each representation to our client's objectives.

The Tax Controversy and Litigation practice team focuses upon favorably resolving tax matters at whatever procedural step they arise-including the planning and developmental stage, during the administrative process at federal, state and local examination and appeals, through the various alternative dispute resolution programs, and through litigation in state courts, as well as the Tax Court, the Federal District Court and the Court of Federal Claims, including appeals to the United States Courts of Appeals and the United States Supreme Court.

While the Tax Controversy and Litigation practice team is prepared to litigate a matter to the highest court, the great majority of tax controversies are settled prior to litigation. Knowledge, preparation and negotiation skills are vital to achieving the best settlement possible. We believe that the most advantageous settlements are achieved when taxing authorities understand that the taxpayer's counsel is willing and able to litigate the matter effectively and with perseverance, should that need arise. The Mitchell Williams' Tax Controversy and Litigation practice team provides that expertise.

#### *Federal Tax Practice*

Mitchell Williams' Federal tax controversy and litigation practice extends from administrative representation during IRS audit, investigation and appeals-including advising on the response to summonses and information document requests, to representation and amicus curiae in the Tax Court, the Federal District Court and the Court of Federal Claims, including appeals to the United States Courts of Appeals and the United States Supreme Court. Our practice includes regular contact with IRS examiners, appeals officers, and Government litigators, and we have a solid record of satisfactory resolutions for our corporate and high net worth individual clients.

# tax controversy and litigation cont.

## *State and Local Tax Practice*

Mitchell Williams' State and Local tax controversy and litigation practice provides representation covering the full range of taxes imposed by state and local jurisdictions, including franchise, income, sales and use, gross receipts, privilege, insurance premium, ad valorem and other property taxes, and oil and gas matters including the severance tax. We have special expertise in refund litigation of ad valorem and sales taxes imposed upon Arkansas businesses, as well as working to have businesses declared exempt from ad valorem taxes. We assist in audit preparation and defense, the negotiation of voluntary disclosure agreements, and represent our clients in both administrative and judicial tax controversies arising from taxes imposed at the state and local level.

## *Tax Shelters*

Mitchell Williams provides expertise in federal and state shelter matters, and helps clients handle issues including compliance with disclosure and list maintenance requirements, defense of proposed adjustments and penalties, and the negotiation of settlements with the IRS, U.S. Department of Justice, and state finance authorities.

## *White Collar Criminal Defense and Corporate Investigations*

The Tax Controversy and Litigation practice team works hand-in-hand with Mitchell Williams' Government Investigations, Enforcement and White Collar Crime attorneys to assist in-house counsel with internal corporate and government investigations as related to tax matters. Team members advise audit committees and individual corporate directors regarding fiduciary responsibilities, Sarbanes-Oxley compliance, and financial reporting obligations, and often act as enforcement counsel for companies under investigation by the DOJ, the FBI, Securities and Exchange Commission, Congressional committees, state and federal grand juries, Internal Revenue Service, New York Stock Exchange and the various Offices of Attorneys' General.