



2019 McDermott Tax Symposium

TAX PLANNING FOR THE FUTURE

May 8, 2019 | Chicago, IL

Time	Program	Speakers
7:00 – 8:00 am	Registration and Networking Breakfast	
8:00 – 8:45 am	Regulatory and Legislative Outlook While applying rules, deciphering regulations and developing reporting positions, companies are also preparing for more final regulations and additional law changes on a US state, federal and multinational basis. We will address planning in the face of these ongoing challenges throughout the day, and launch our program with a high-level outlook on: <ul style="list-style-type: none">• Timing considerations and updates on regulations• Technical corrections• The states' response• Compensation and benefits after tax reform• Preparing for controversies• The OECD Policy Note and transfer pricing Consultation Draft	Jane May Tim Shuman <i>Event Chairs</i> Laura Gavioli Andrew Liazos Dave Noren James Ross
8:50 – 10:00 am	Subpart F vs. GILTI – A New Decision <ul style="list-style-type: none">• Comparison of the two inclusion regimes• FTC differences between the regimes• Planning to convert GILTI to Sub F income• High-tax exception for Sub F (but FTCs left behind)	Lowell Yoder <i>Moderator</i> Steve Hadjilogiou Sandra McGill Michael Wilder

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10:00 – 10:10 am	Break	
10:10 – 11:10 am	Breakout Session I: Financing Structures – A Global View <ul style="list-style-type: none">• Interest Expense Limitation Rules – Section 163(j)• Anti-Hybrid Rules – Section 267A, Section 245A(e) and OECD rules• Where should you deploy debt?	Damon Lyon <i>Moderator</i> Kristen Hazel John Lutz Carlo Paoletta
	Breakout Session II: Inbound, Outbound or Both – IP Planning for FDII, GILTI, Subpart F Income, 367(d) and Cost-Sharing Agreements <p>This panel will consider the costs and benefits of locating IP in the United States (including a dive into the FDII regulations) and outside the United States (GILTI) for multinational structures and how tax professionals can advise their management accordingly.</p>	Dave Noren <i>Moderator</i> Justin Jesse Caroline Ngo Barry Quirke
11:15 am – 12:15 pm	Breakout Session I: OECD Developments – Policy Note and Transfer Pricing Consultation on the Digitalization of the Economy <p>This panel will provide a deeper dive into key developments in the OECD affecting multinationals, most notably including the OECD Policy Note and transfer pricing Consultation Draft.</p>	Dirk Pohl <i>Moderator</i> James Ross Mark Thomas Antoine Vergnat
	Breakout Session II: Compensation and Benefits after Tax Reform <ul style="list-style-type: none">• Planning challenges for 162(m) grandfathering• Three benefits under the IRS microscope: meals, parking and entertainment• New 401(k) designs for younger workforce• Loan financed ESPP programs	Andrew Liazos <i>Moderator</i> David Fuller Jeff Holdvogt Sam Souza

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12:15 – 1:30 pm	Lunch & Keynote: International Taxation in an Era of Digitalization: Process, Politics, and Possible Outcomes from the Multilateral Debate on Profit Allocation	Itai Grinberg <i>Georgetown Law School</i>
1:35 – 2:35 pm	Survivors' Tips for Tax Reform in the States <ul style="list-style-type: none">• Deference to administrative guidance• Potential litigation stemming from state responses to federal reform• Unique state issues for compliance• Potential compliance traps	Steve Kranz <i>Moderator</i> Cate Battin Alysse McLoughlin Diann Smith
2:40 – 3:40 pm	The Audit Aftermath of Tax Reform <ul style="list-style-type: none">• The ins and outs of interpreting and challenging regulations<ul style="list-style-type: none">○ Scope of IRS regulatory authority and deference issues○ Administrative Procedure Act defenses○ Forum for challenging regulations○ Financial disclosures• IRS challenges to refund claims• Best practices on avoiding common penalties• Privilege concerns	Lowell Yoder <i>Moderator</i> Elizabeth Erickson Andy Roberson Kevin Spencer
3:40 – 3:50 pm	Break	
3:50 – 5:00 pm	Planning for M&A and Post-Acquisition Integration <ul style="list-style-type: none">• Trends in domestic M&A structuring and negotiation post-tax reform• Cross-border M&A structuring with a focus on 338 and non-338 planning• Transfer agreements under 965• Post-acquisition integration planning – 304 transactions and all-cash D reorganizations; PTI and FTC planning	Tim Shuman <i>Moderator</i> Enrica Ma Alex Ruiz Jay Singer
5:00 – 6:00 pm	Closing Remarks & Cocktail Reception	Jane May Tim Shuman