



“Surf’s Up” for IPT Tax Professionals

IPT 30th Annual Conference

June 25-28, 2006

Hyatt Regency Huntington Beach

Huntington Beach, California

PRELIMINARY PROGRAM

2006 IPT's 30th Annual Conference Preliminary Program

Saturday, June 24, 2006

4:00-7:00pm Early Registration

Sunday, June 25, 2006

6:00am **John P. Myers Memorial Golf Tournament**

The tournament will be played at the Black Gold Golf Club and requires a supplemental registration fee.

3:30-8:30pm **Registration**

3:30-5:00pm **CMI Property Tax Orientation**

This session will provide members interested in pursuing the CMI property tax professional designation with an overview of the designation program, experience and education requirements, problem solving exercises, and questions and answers. Presented by the CMI Property Tax Committee

3:30-5:00pm **CMI Sales Tax Orientation**

This session will provide members interested in pursuing the CMI sales tax professional designation with an overview of the designation program, experience and education requirements, problem solving exercises, and questions and answers. Presented by the CMI Sales Tax Committee

5:00-6:00pm **Annual Business Meeting**

- Election of Officers and Members to the Board of Governors.
- Discussion of Institute business and plans.

6:00-7:30pm **Opening Reception in Exhibit Hall**

Welcome to "Surf City USA". Reception included in conference registration fee. There is a supplemental fee for spouses/guests. Admittance is by badge/ticket.

6:00-8:00pm **Exhibits Open**

This is an excellent opportunity to view products — computers, software, system management, publications, data services, valuation aids, and maps — of interest to property, income and sales tax professionals. Exhibits are limited to product-oriented vendors.

Monday, June 26, 2006

7:00am-4:00pm **Registration Continues**

7:00-8:00am **Exhibits Open**

Coffee and Danishes will be available with the exhibitors (included in conference registration fee). There is a supplemental fee for spouses/guests. Admittance is by badge.

8:00-8:45am **Opening of Conference**

Welcome by IPT President **Carolyn L. Elerson, CMI**
Special welcome: **The Honorable Dave Sullivan**, Mayor of Huntington Beach
Presidential Address and Introduction of Invited Guests

Opening Keynote Session:

8:45-9:45am

Keynote Speaker:

Randall Bell, MAI

Principal
Bell Anderson & Sanders, LLC
Laguna Beach, CA

Bottom Line Results: Lessons from Disasters for Tax Professionals

Drawing upon his consulting experiences with some of our world's greatest challenges, Randall Bell shows what every professional should know about effective management and decision making. The first concept involves a "Global Approach®" which includes Purpose-People-Productivity-Plan. Then using this framework one level at a time, Mr. Bell illustrates Left Line (negligent), Right Line (excessive) and Bottom Line (effective) management styles. By the end of the presentation, every participant should have a heightened awareness of both effective management styles, as well as an effective strategic planning tool in the form of a laminated quick-reference handout. Case studies include the World Trade Center, the Flight 93 Crash Site, the OJ Simpson Crime Scene, the Bikini Atoll Nuclear Test Sites, the Heaven's Gate Mass Suicide Mansion, Chernobyl and many others. The presentation includes numerous photographs and illustrations.

Joint General Session:

10:00-11:30am

Interdisciplinary Nature of State Income Tax, Property Tax and Sales Tax

The main state tax levies - corporate income tax, property tax and sales/use tax - share a number of common concepts. Having arisen, in most cases, under the authority of a single state agency, statutory and regulatory trends often reflect a commonality of definitions and treatment of issues. One can often gain insight to a particular tax issue in one area by understanding the interrelationship with issues arising under other taxes.

There are several areas of substantive law where the taxes intersect. For example, the unitary business principle is commonly known to have first arisen in the property taxation of railroads to account for the fact that the property of the railroad was stretched out over several taxing jurisdictions. Rather than individually value the property in each jurisdiction, the value of all of the railroad's business property was valued then apportioned by formula to the jurisdictions that had property in their area. Central assessment of railroad and utility property with formula apportionment is akin to the

Monday, June 26, 2006, 10:00-11:30am continued

calculation of the business income of a unitary business enterprise and apportioning that income by formula to the jurisdictions where nexus is established. The specific allocation of that businesses non-business income is likewise akin to the locally assessed property of a centrally assessed enterprise as property that is unrelated to the inter-jurisdictional operations of the business.

Constitutional limitations on state taxation are also an area of common ground. Though nexus jurisprudence is altered by the presence of Public Law 86-272 in the income tax area, factors establishing a presence in a particular jurisdiction under sales tax may be determinative for establishing the situs of moveable property in the property tax area. Also, in the area of the Commerce Clause, the very principles established in an income tax case, *Complete Auto*, were adopted and expanded to foreign commerce in *Japan Lines*. In fact, the presence of intra-state commerce clause jurisprudence can affect local sales and business license taxes within a state. (e.g. *General Motors vs. City of Los Angeles*)

Less esoteric examples can be found in the area of defining real and personal property, identifying intangibles, distinguishing between inventory and supplies, determining "market" values, and calculating gross receipts. Further, procedural issues such as exhaustion of administrative remedies often share the same case law even if they do not share the same statutory law. In all of these areas, and others, knowledge of the broader concepts in state and local taxes can provide benefits.

Speakers:

Terry L. Polley, Esq.
Attorney
Ajalat, Polley & Ayoob, a Partnership
Including Professional Corporations
Glendale, CA

Second Speaker TBA

11:30am-12:30pm Lunch in Exhibit Hall
Included in conference registration fee for conferees

11:30am-12:30pm Exhibits Open

Property Tax Concurrent Sessions:

12:30-1:30pm Do Coins Tossed in a Fountain Create Taxable Value? . . . Stripping Out Profit Center Income to Determine True Market Value Part I (Part II at 1:45pm)

Do the coins tossed in a shopping center fountain contribute to the real estate assessed value of the center? How about the carts selling cell phones in the courtyard; or, the carts selling pretzels? Many - well maybe most - assessors believe that these profit centers do contribute to the value of the real estate and seek to include every penny of this non-rental income in the income indicator calculations. Well, our speakers have a different view. Please join them in this two-part session which will delve into the appraisal concepts dealing with shopping center miscellaneous income and provide you with helpful hints on removing this income from the value computation. Although this session is focused on shopping centers, the speakers' intent is for the content and thought process to be leveragable to other property types. Part I will focus on identifying many of these often obscure profit centers. Part II will focus on alternative valuation techniques that may apply when these profit centers are present.

Speakers:

Erick Gomez
President
International Energy Group
Claremont, CA

Mary A. O'Connor, ASA
Director, Valuation Services
RGL Forensic Accountants and Consultants
Chicago, IL

Kenneth J. Rogers, CRE
Director Real Estate Analysis
Fisk Kart Katz and Regan, Ltd.
Chicago, IL

12:30-1:30pm

Maybe You Can't Be a Pro-Surfer, but You Can Be a Pro-Communicator: Effective Oral Communication Skills for Tax Professionals

Tax Professionals in today's corporate and consulting environments rely on verbal communication to accomplish many daily tasks. It "goes without saying" then that two of the most vital skill sets we must master are the art of the spoken word and the ability to communicate effectively. The speaker, a Bronze member of Toastmasters International, will share some oral communication resources, tips and opportunities that are available for tax professionals who would like to elevate their oral skills to the next level or higher. This session is designed to accommodate all IPT members, regardless of functional specialty, to learn to **ride inside the communication "tube"!**

Speaker:

Michael J. Strom, CMI
Senior Property Tax Rep
Ahold USA, Inc.
Carlisle, PA

12:30-1:30pm

**Yeah, Man, Obsolescence is for Real!!
Convincing Assessors of Obsolescence
(Repeated at 3:00pm)**

How many times have you heard "But, you would not have spent the money building your plant if it wasn't worth what you spent"? One of the hardest tasks facing the property tax professional is convincing assessors that obsolescence in its many forms really exists and needs to be considered in determining the assessed value of taxable property. Insight will be provided into how we can best make an argument for obsolescence in such a way as to win over assessors – in effect, how to speak "assessor-eze" in regard to obsolescence. This session will also cover the measures that can be employed to ensure obsolescence is captured.

Speaker:

Robert C. Herman, MAI
Director
Duff & Phelps LLC
Chicago, IL

12:30-1:30pm

**Inventory Valuation – Rules, Exemptions
and Legislative Developments
(Repeated at 4:15pm)**

Just as a surfer's valuation of a wave could mean the difference between a **wipe-out** and a **fabulous ride**, a tax professional's valuation of inventory could mean the difference between over-assessment and a fair and reasonable assessment. In fact, it could easily be the largest tax savings opportunity in your portfolio. This session will cover the essentials of taking deductions for inventory shrinkage, spoilage and markdowns. Further, the speakers will help us navigate the Freeport Exemption filing process.

Speakers:

Kay Dixon
Tax Accounting Manager
Wal-Mart Stores, Inc.
Bentonville, AR

Teresa L. Sharp, CMI
Senior Manager
Deloitte Tax LLP
Houston, TX

Sales Tax General Session:

12:30-1:30pm

Tax Technology

The first half of this session will focus on what steps are necessary for a successful implementation. This session will also discuss possible solutions to address problems which arise after a system implementation becomes operational.

Speakers:

Joann B. Hetzer
Senior Tax Analyst
Praxair, Inc.
Danbury, CT

Robert A. Westgate
Senior Manager
Ernst & Young LLP
Philadelphia, PA

State & Local Income Tax General Session:

12:30-1:30pm

**National Issues in Corporate Income
Taxes**

The session will focus on income/franchise issues impacting multi state taxpayers: nexus, tax base and apportionment. Particular attention will be given the state tax treatment of related-party transactions and include discussions of constitutional challenges to the expense disallowance statutes, state ramifications of IRC Sec. 965 dividend repatriations, state challenges to REIT/RIC transactions and state attempts to increase the tax base through the use of various theories resulting in forced combination.

Speakers:

Paul R. Comeau, Esq.
Chairman
Hodgson Russ LLP
Buffalo, NY

Property Tax Concurrent Sessions:

1:45-2:45pm

**Special Nature of Property Tax Appraisals
(Repeated at 4:15pm)**

Surfers must abide by certain rules of etiquette and the laws of nature if they want to get a good ride. The same goes for property tax appeals. In order to be effective, appraisals used in property tax proceedings must adhere to applicable statutes and regulations. When prepared in this way, the appraiser can more effectively advocate an opinion which benefits the

taxpayer. Using specific case studies by leading appraisers, this session will stress the importance of knowing the requirements for preparing and presenting an appraisal that will satisfy appraisal standards and be adopted by the tax tribunal. The session will also point out the role of USPAP in preparing and successfully presenting an appraisal in property tax proceedings.

Speakers:

John G. Ellis, MAI, CRE
Managing Director
Integra Realty Resources - Los Angeles
Woodland Hills, CA

Cris K. O'Neill, Esq.
President & Principal
Rodi, Pollock, Pettker, Galbraith & Cahill
Los Angeles, CA

Kathy G. Spletter, ASA
Vice President
Stancil & Co.
Irving, TX

1:45-2:45pm

Bumpy Waves – Choppy Waves – Distressed Properties – No Fun Unless You Can Analyze and Navigate Through and Around Them

This session is designed to assist property tax professionals, their counsel and their experts in achieving a better understanding of the market's perspective as it relates to appropriate valuation analysis for distressed real estate. How do physical and functional issues influence real estate performance? What issues lurk outside of the property lines to cause distress? Are you able to distinguish between Economic and Useful life? What distinguishes stabilized valuation from valuation "as is?" This area of valuation study involves analysis and evaluation of cost, use, risk, repair, highest and best use and market acceptance/resistance. This session will include discussion regarding traditional use commercial properties, special use properties and real estate in the manufacturing sector. Having over 50 years of experience with distressed properties, the speakers will provide their view of valuation from the market's perspective and their insights into addressing valuation problems for problem properties.

Speakers:

Todd S. Liebow, MAI
Principal
PGP Valuation, Inc.
Portland, OR

Robert S. Svoboda, ASA, PE
Director
Avail Consulting LLC
Houston, TX

1:45-2:45pm

The In-House Property Tax Department Manager - Don't Get "Blown-Out," Dude! (Repeated at 3:00pm)

Are the duties of running an in-house property tax department leaving you feeling like a **Close Out** (for you non-surfers, that means bad surf – yeah, Dude, feel overwhelmed, huh?). Then, this session is for you. We will address the challenges and opportunities from the perspective of an in-house manager. The session will focus on compliance, valuation and audit functions as well as management of internal and external relationships. Also, data collection and management models will be presented. Join us and **Make A Wave** as a manager.

Speakers:

Jason V. Raab, CMI
Manager, State & Local Tax
Office Depot, Inc.
Delray Beach, FL

Syna Sturdivant
Property Tax Analyst
The Walt Disney Company
Glendale, CA

Liza Schaefer Vance, CMI, CPA
Senior Manager
The Walt Disney Company
Burbank, CA

1:45-2:45pm

Do Coins Tossed in a Fountain Create Taxable Value? . . . Stripping Out Profit Center Income to Determine True Market – Part II (Part I at 12:30pm)

While Part I focuses on identifying many, often obscure, profit centers, Part II focuses on alternative valuation techniques that may apply when these profit centers are present.

Speakers:

Mary A. O'Connor, ASA
Director, Valuation Services
RGL Forensic Accountants and Consultants
Chicago, IL

Kenneth J. Rogers, CRE
Director Real Estate Analysis
Fisk Kart Katz and Regan, Ltd.
Chicago, IL

Sales Tax General Session:

1:45-2:45pm

Tangible Personal Property vs. Real Property

This session will consider the issues which arise involving the distinction between tangible personal property versus real property in the sales and use tax area. Additionally, the speakers will address problems sales tax professionals can encounter with intangible property.

Speakers:

William M. Backstrom, Jr., Esq.
Partner
Jones Walker LLP
New Orleans, LA

Michael D. Sontag, Esq.
Member
Bass, Berry & Sims PLC
Nashville, TN

Does practical knowledge in this area of valuation really require a background in rocket science **and** neuro-surgery? This session is designed to remove the shroud of mystery that surrounds the process of converting income into value. With 35 years of experience appraising commercial property, the speaker's nuts-and-bolts approach to comparing and contrasting capitalization and discount rates, conceptually and pragmatically, provides an excellent fundamental background for those involved in valuation at any level.

Speaker:

Chuck Dannis, MAI, SRA
President
Crosson Dannis, Inc.
Dallas, TX

State & Local Income Tax General Session:

1:45-2:45pm

Sales Factor Apportionment Issues

Many states now have single sales factor or double- and triple-weighted sales factor apportionment factors. While this places pressure on the computation of the sales factor, little guidance exists in this regard. This session will explore the issues and opportunities that should be considered when deciding what should be included and excluded (thrown back or thrown out) from the sales factor apportionment factor, as well as how receipts should be sourced. The speakers will provide first-hand knowledge of the issues involved.

Speakers:

Bartley B. Baer, Esq.
Principal
Deloitte Tax LLP
San Francisco, CA

Kendall L. Houghton, Esq.
Partner
Sutherland Asbill & Brennan, LLP
Washington, DC

3:00-4:00pm

**Yeah, Man, Obsolescence is for Real!!!
Convincing Assessors of Obsolescence
(Repeated from 12:30pm)**

3:00-4:00pm

**The In-House Property Tax Department
Manager - Don't Get "Blown-Out," Dude!
(Repeated from 1:45pm)**

3:00-4:00pm

**Become an Expert – Do an "Aerial" with
Leasehold Improvements: Compliance
and Valuation Strategies**

One of the great mysteries of surfing is how to find that **perfect wave and catch it** – not all that different than discerning the proper treatment of leasehold improvements for ad valorem taxation. Well, maybe a little different . . . The corporate tax practitioner is confronted with questions such as: Are the leaseholds real estate or are they personal property?; Should they be reported on the lessee's personal property return or has the assessor picked them up as building?; Does cost less the jurisdiction's standard depreciation result in the correct taxable value?; and, How and why would an owner/developer's perspective differ from that of the tenant/lessee? This session will attempt to address the foregoing issues and others relating to one of the classic "gray areas" of property tax compliance and administration. Yeah, we are going to help you spot a **Barrel** and **ride it out**.

Speakers:

John M. Lynch, Esq.
Attorney
Lynch, DeSimone & Nysten, LLP
Boston, MA

James J. Sinnott, CMI
President
Tax Management Associates Inc.
Greenwich, CT

Property Tax Concurrent Sessions:

3:00-4:00pm

**Understanding Capitalization Rates and
Discount Rates**

Many a valuation dispute has hinged on the proper selection and application of an overall capitalization rate or discount rate. How well do you understand the distinction between direct capitalization and yield capitalization?

Sales Tax General Session:

3:00-4:00pm

Reducing Compliance Risk

This session will explore best practices for evaluating compliance risks and related remediation efforts as well as the impact Sarbanes-Oxley has had in elevating the visibility of sales tax risks and how reserves are affected. The speakers will discuss various methods for reducing the risks associated with noncompliance (and under-compliance) such as voluntary disclosure agreements, state amnesties, managed compliance agreements and related programs to evaluate the circumstances under which such methods may be appropriate.

Speakers:

Linda Balabanian, CMI
Tax Director
Deloitte Tax LLP
San Jose, CA

Beth Ann Kendzierski
Director of Tax
Apria Healthcare, Inc.
Lake Forest, CA

Richard Taylor

President
Real Estate Auditing Services
Ellicott City, MD

4:15-5:15pm

**Special Nature of Property Tax Appraisals
(Repeated from 1:45pm)**

4:15-5:15pm

**“Riding the Wave” of Purchase Price
Allocation and “Hanging 10” for the
Property Tax Implication**

Companies make acquisitions for a wide variety of reasons, such as to increase market share, capture synergies in customer base, benefit from strategic alliances and improve global positioning to name a few. When the purchase agreement is signed, the dust settles and title has been transferred, the opening balance sheet is set and you may begin to ask...where did the numbers come from? ...how were they determined?? ...and what are the implications to my property tax liabilities??? **Bummer, Man . . .**

Hang 10 with us as we explore these issues, and provide the audience with some guidance on how to manage an acquisition and the allocation that comes with it. You can become an expert at **“Cross Stepping”** through purchase price allocations.

Speakers:

Roiston P. D’Souza
Vice President
AccuVal Associates, Inc.
Rosemont, IL

Robert E. Lange, CMI, ASA
Director
PricewaterhouseCoopers LLP
Milwaukee, WI

Property Tax Concurrent Sessions:

4:15-5:15pm

**Minimize Choppy Waters with Landlords
- Understanding and Negotiating Tax Clauses
and Operating Expenses in Commercial
Leases**

There are potential **wipe-outs** for the unwary in the Tax and CAM clauses of any lease. The key to successfully managing these pass through liabilities is to have a clear understanding of every lease clause up front, and then align each specific provision with the appropriate management or negotiation technique. **Hang tight to your boards**, because this session will **blow through** such topics as: the various types of traditional leases and the important tax considerations within each, the valuation impact of escalation clauses, and the optimal alignment of responsibilities between the landlord and the tenant. This session will also offer proactive suggestions on pass through liability management techniques, such as pre-signing lease audits and go-forward operating expense audits.

Speakers:

Timothy J. Miscovich
Managing Partner
Ares Partners, LLC
Clarkston, MI

4:15-5:15pm

**Inventory Valuation – Rules, Exemptions
and Legislative Developments
(Repeated from 12:30pm)**

Sales Tax General Session:

4:15-5:15pm

Credit and Incentives

This session will review the process and considerations corporate taxpayers must address in seeking credits and incentives from state and local governments. The role of the consultant in this area will be presented.

Speakers:

Helen D. Lemmon, CMI

Principal
Ryan & Company
Pittsburgh, PA

Christine M. Guthrie, Esq.

Director of Tax, Assistant Corporate Secretary
Wayne-Dalton Corp.
Mt. Hope, Ohio

Tuesday, June 27, 2006

7:00am-2:00pm Registration Continues

7:00-8:00am Exhibits Open

Coffee and Danishes will be available with the exhibitors (included in conference registration fee.) There is a supplemental fee for spouses/guests. Admittance is by badge.

Joint General Session:

8:00-9:15am Surf's Up for Tax Professionals: Restoring Confidence in Business through Ethical Behavior

Over the past few years, more companies have restated earnings than at any time in history. Some of those restatements caused the collapse of the company. Decisions on everything from valuation to timing to expenses were often not examined from an ethical perspective and pushed the legal envelope.

The indictment of the former Tyco CEO for sales tax evasion in the sale of his personal art works spoke volumes to investors. The question now is, "Can we ever trust again?" The past year has taught us many lessons: Trust is at the heart of good regulatory relations, customer service and investor faith; and, at the heart of trust, is ethics.

This session will explore the importance of ethics for all aspects of business operations and all types of decisions, and emphasize its role in reestablishing trust. In fact, the capitalist system depends upon markets that function properly and such markets require trust and ethical conduct by participants.

Speaker:

Marianne M. Jennings, Esq.

Professor of Legal and Ethical Studies
Arizona State University
Mesa, AZ

Joint General Session:

9:30-10:45am At IPT — the IT is Ethics

Until very recently, most IPT members have

enjoyed the luxury of observing from afar the scandals that have rocked corporate America as the result of ethical lapses. However, despite our Code of Ethics, a couple of our members have apparently fallen prey to the temptations that circle around us each business day.

How does IPT and its membership work together to confront this problem? How does IPT emphasize the dire consequences that befall the offending member and his or her family? How does IPT heighten the consciousness of its members to say NO to departures from our ethical rules and to say YES to accuracy, truth and sincerity?

Speakers:

Jerrold F. Janata, Esq., ASA

Chief Executive Officer
International Appraisal Company Inc.
Upper Saddle River, NJ

Joseph A. Vinatieri, Esq.

Attorney/Partner
Bewley, Lasseben & Miller
Whittier, CA

**Moderated by Chair of
IPT Professional Ethics Committee:**

Eugene Albert, Esq., CMI, MAI

President
Albert Valuation Group New York, Inc.
Tarrytown, NY

Joint General Session:

11:00am-12:15pm Developing a Winning Tax Appeal/Litigation Team

The surf is a **blow out**. You won't be able to **catch a wave** today. So, what are you going to do? Suggestion: Join our speakers as they discuss how to develop a winning tax appeal/litigation team. We will bring together an attorney, a consultant and an industry tax director to share with us their experience and sage advice on winning tax teams and how to develop them. Among other things, our tax director will discuss what to look for in a consultant or attorney, how to manage a consultant or attorney, budgeting and staying within a budget, managing the team process, communications and **how to be a good consultant and attorney**. And, we will hear from our attorney and consultant some interesting views on what they look for in a client, managing expectations, communications and **how to be a good client**. And, of course, our speakers will discuss the role of ethics in developing and managing a winning team.

Tuesday, June 27, 2006, 11:00am-12:15pm continued

Speakers:

Barbara Barton Weiszhaar
Director, State and Local Taxation
Electronic Data Systems Corp.
Plano, TX

C. Stephen Davis, Esq.
Attorney
Rodi, Pollock, Pettker, Galbraith & Cahill
Los Angeles, CA

Kirk H. Neely
Engagement Manager
Jefferson Wells International
Raleigh, NC

12:15-1:15pm

**Lunch in Exhibit Hall
IPT 2006-2007 Committees**

Lunch is included in registration fee for **all** conferees. Any member interested in serving on one of IPT's committees may sit at that committee's table to learn about the committee's proposed activities for 2006 – 2007. Committee tables have been designated in the hall.

12:15-2:30pm

Exhibits Open

Joint General Session:

1:45-3:00pm

Taking Ownership of Leadership

This is a must attend program. You will be amazed at how much you will learn in this session that is loaded with inspirational ideas and tips that will pick up the pace of your career's advancement. Mr. Dodge will feature the highlights of his all day "How to Be a Better Leader" seminar, in which you will learn the three main laws of leadership that are most important. He will address the central issues faced by all business owners and managers. This session concludes with some very appropriate time management strategies. His instructive program is stimulating and edifying and you will readily embrace the principles taught in the teaching style only Bryan Dodge can deliver. A take home workbook will be provided.

Speaker:

Bryan Dodge
Keynote Speaker
Bryan Dodge Development, Inc.
Duncanville, TX

6:30-7:00pm

President's Reception

Reception is included in conference registration fee. There is a supplemental fee for spouses/guests. Admittance is by badge/ticket.

7:00-9:00pm

30th Anniversary Dinner

Dinner is included in conference registration fee. There is a supplemental fee for spouses/guests. Admittance is by badge/ticket.

9:00-12 midnight

IPT's 30th Anniversary After-Dinner Party

After-Dinner Party is included in conference registration fee. There is a supplemental fee for spouses/guests. Admittance is by badge/ticket.

Wednesday, June 28, 2006

Property Tax Industry Sessions:

8:00-9:15am

Don't Get Caught in "The ZONE"!!

For surfers, **The ZONE** is the place where there is no escape from the wrath of an on-coming wave. You get pounded! To identify potential tax **ZONES** and to figure out how to avoid them, join your colleagues in your industry in an informal discussion group to exchange ideas, experiences and strategies. This is an opportunity for Shubees, Boogers, Dudes, Groms, Hodads, Kooks and Pros to talk about **The ZONES** so that you can **Make a Wave** and stay out of **The ZONE**.

• **Telecom and High-Tech**

Facilitators:

Tracey P. Rossow, Esq.
New York Area Property Tax Leader
Ernst & Young LLP
New York, NY

Mark F. Semerad, Esq., CMI
Senior Manager - Property Tax
Level 3 Communications
Broomfield, CO

• **Retail**

Facilitators:

Micheal D. Clark, CMI
President
Ad Valorem Tax, Inc.
Covina, CA

Louis P. Napoli
Assistant Vice President, Property Tax
Director
The TJX Companies, Inc.
Framingham, MA

• **Industrial**

Facilitators:

Paula M. Jung
Property & Excise Tax Manager
Miller Brewing Company
Milwaukee, WI

Lesley Loffredo, MAI
Senior Manager, Property Tax
DaimlerChrysler Corporation
Auburn Hills, MI

• **Hotel & Health Care**

Facilitators:

Matthew G. Ahrens
Vice President Property, Sales and Use Tax
Host Marriott Corporation
Bethesda, MD

J. Scott Donald, CMI
Vice President
Marvin F. Poer & Company
Irvine, CA

• **Office**

Facilitators:

Thomas M. Sanders, CMI
Director - Property Tax
The Northwestern Mutual Life Insurance
Company
Milwaukee, WI

Peter M. Smith, FRICS
Western Region Director – Property Taxes
Ernst & Young LLP
Los Angeles, CA

• **Energy**

Facilitators:

James R. Asay, CMI
Principal Tax Advisor
Sempra Energy
San Diego, CA

David S. Hall
Director of Taxes
Berry Petroleum
Bakersfield, CA

• **Personal Property**

Facilitators:

Cecilia Benites, CMI
Director of Research & Content
ePropertyTax
Scottsdale, AZ

Ryan Neil Armstrong
Manager of Property Tax
Kindred Healthcare, Inc.
Louisville, KY

Sales Tax General Session:

8:00-9:15am

Current Developments

This session will cover significant legislative and judicial developments in the Northeast, Southeast, Central and West Regions of the U.S.

Speakers:

Central Region

Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota & Wyoming

Brian R. Ertmer, CMI, CPA
National Managing Partner
Deloitte Tax LLP
Milwaukee, WI

Northeast Region

Connecticut, Maine, Massachusetts, New Jersey, New York Pennsylvania, Rhode Island & Vermont

Jeremiah T. Lynch, CMI
Principal
Ryan & Company
New York, NY

West Region

Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oklahoma, Texas, Utah, Washington, Wyoming

James F. Regan
Director
PricewaterhouseCoopers LLP
San Francisco, CA

Southeast Region

Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia

Eric S. Tresh, Esq.
Partner
Sutherland Asbill & Brennan LLP
Atlanta, GA

Property Tax General Session:

9:30-10:45am

Are You “Inside,” “Outside,” on the “Line-up” or at the “Take-Off Point”?

State Roll Call – Legislation and Regulation

Join our speakers so that you are at the **Take-Off** point on legislative, judicial and regulatory activity. **Catch the wave** of latest legislative, judicial and regulatory

developments. You don't want to miss the best part of the **next breaking wave!**

Speakers:

Midwest – focus on Ohio (Ohio, Michigan, Illinois, Wisconsin, Iowa, North Dakota, South Dakota, Indiana, Nebraska, and Minnesota)

Elizabeth L. Gracie, Esq.

Partner
O'Keefe Lyons & Hynes, LLC
Chicago, IL

Southeast – focus on Florida (Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland, Kentucky, Tennessee, Alabama, and West Virginia)

Robert M. Henderson

National Director of Property Tax
Ernst & Young LLP
Atlanta, GA

Mid-South – focus on Texas (Texas, Oklahoma, New Mexico, Colorado, Missouri, Arkansas, Louisiana, Kansas, and Mississippi)

Edward Kliewer, III, Esq.

Attorney
Fulbright & Jaworski L.L.P.
San Antonio, TX

West – focus on California (California, Arizona, Oregon, Washington, Idaho, Utah, Nevada, Hawaii, Alaska, Montana, and Wyoming)

Wade E. Norwood, Esq.

Attorney
Rodi, Pollock, Pettker, Galbraith & Cahill
Los Angeles, CA

Northeast – focus on New York (Maine, New Hampshire, Massachusetts, Vermont, New York, Rhode Island, Connecticut, Pennsylvania, New Jersey, Delaware, and Washington)

Christopher John Stracco, Esq.

Attorney-at-Law
Pitney Hardin LLP
Morristown, NJ

Joint General Session:

11:00am-12 Noon All Conference Attendees...SURF ON DOWN...You may be the next contestant on IPT's State and Local Tax Game Show!!

When near Hollywood – GO HOLLYWOOD! IPT is **turning the tide** on conference closing sessions with this fun and interactive game show format. Economist Robert Cline will present the results of Ernst & Young's latest *State and Local Tax Business Report* with the assistance of IPT's very own "Bob Barker" in an interactive audience participation format. Conference attendees who have expressed an interest in participating as team contestants will have the chance to **make a wave** in this IPT quiz show debut and win valuable prizes for themselves and their silent audience partners. Although this closing session is intended to make a **splash**, there will be nothing **watered down** about the quiz show content, which will highlight IPT's ethics rules and the quantitative state and local business tax findings from the report. It's time to put on your thinking caps, **Kooks**, because this is going to be **SWELL!**

Speaker:

Robert Cline, PhD

Principal
National Director of State and Local Tax Policy Economics
Ernst & Young LLP
Washington, DC

Anthony R. Thompson, CMI
Attorney At Law
Law Offices Anthony R. Thompson
Allentown, PA

Moderator:

Arthur E. Bennett, CMI

Vice President-National Property Tax Services
Property Tax Assistance Co., Inc.
Bellflower, CA

Noon

Program Concludes

Sales Tax General Session:

9:30-10:45am Audit Trends and Department of Revenue Audit Administration

This session will include a review of recent rulings and other administrative developments that are significant including audit trends.

Same speakers as in previous session of Current Developments on page 10



Registration Information

Any IPT member or employee of a company/firm with member(s) in the Institute may register for the Conference. The registration fee provides for the usual Conference expenses and also includes the luncheons, the opening reception, the Tuesday night reception and dinner, refreshment breaks, and Conference materials. The early registration fee for IPT members is \$575 on or before May 26, 2006. Registrant saves \$25 if payment is received prior to May 26, 2006. The Conference registration fee is \$600 after May 26, 2006. Individuals who are not members of IPT, but whose company or firm has members in IPT, may attend the Conference for an additional \$200 charge. In this case, the total Conference fee would be \$775 on or before May 26, 2006 and \$800 after May 26, 2006.

If the registrant so elects, he or she may join as a Sales Tax Associate or Property Tax Associate Member (providing their company already has a member in IPT) for annual dues of \$225. In this case, the total Conference fee would be \$800 on or before May 26, 2006 and \$825 after May 26, 2006. For introductory membership dues of \$150, one may join IPT as a charter Income Tax Member providing their company already has a member in IPT. In this case, the total Conference fee would be \$725 on or before May 26, 2006 and \$750 after May 26, 2006.

Dues are nonrefundable even if registration is cancelled, (please see registration form). Members may also register for the conference online at IPT's website, www.ipt.org. You will be required to login to the "members' only" section of the IPT website. If you do not know your login and password, please follow the instructions on the login page.

Faxed registrations are subject to the payment due date and cancellation fees. There is a cancellation charge of \$100. Any faxed registration that is not cancelled in writing prior to the June 16, 2006 cut-off date is subject to the entire Conference fee. **All requests for refunds must be in writing. No refunds for cancellations will be given after June 16, 2006 (5:00 pm EST).** All registrations are to be handled in **ADVANCE** through the IPT office. If a person is not registered in advance, a surcharge of \$25 will be assessed over and above the late registration fee. Admission to all social functions and sessions is by display of badge (tickets when applicable). For more information regarding administrative policies such as complaint and refund, please contact our office at 404-240-2300.

There is a substitution charge of \$40 on or before May 26, 2006; \$50 charge after that date (a substitute must be someone from your company). All registrations must be paid in full within three weeks of acceptance and prior to Conference (\$25 surcharge applies to any payment received after May 26, 2006; \$50 surcharge if payment is still outstanding as of June 24, 2006). Confirmation of acceptance will be sent.

All fees must be in U.S. funds. The following credit cards

may be used: American Express, VISA and Master Card. In order for credit cards to be processed, it is important that the information requested on the registration form be filled out completely. If the address on your registration form differs from the billing address for your credit card, you must provide IPT with the credit card billing address.

Golf Tournament: The golf fee is \$155 per person. Please refer to the golf tournament information for tournament details, golf registration form, and applicable cancellation fees, or go to www.ipt.org/Programs/2006ACGolfRegistration.pdf.

Spouse/Guest Information: Conferees who bring their spouse/guest to the Conference are required to pay for the events attended by the spouse/guest. The optional IPT events available are the Opening Reception (\$35), Tuesday night dinner and party (\$90), and coffee and Danish with exhibitors on Monday & Tuesday (\$15).

Make checks payable to:

Institute for Professionals in Taxation
and mail payment to:
Institute for Professionals in Taxation
1200 Abernathy Road, NE, Building 600, Suite L-2
Atlanta, GA 30328

Telephone: 404-240-2300 **Fax:** 404-240-2315

Hotel Information and Reservations:

The Institute's Thirtieth Annual Conference is being held at the Hyatt Regency Huntington Beach. With its sunny Mediterranean climate and idyllic setting, Huntington Beach, CA will serve as the perfect backdrop for this special conference with a program that promises to be both educational and informative. **Please confirm your reservations no later than May 25, 2006. Requests for accommodations after that date, or sooner if the block sells out, cannot be ensured.** Registrants are urged to make their reservations early, directly with the Hyatt, by using one of the following methods:

- **TELEPHONE** your reservation to the hotel **making certain to request in-house reservations at the Hyatt Regency Huntington Beach** and **do not** have your call transferred to the main reservation desk. Identify yourself with IPT. In-house reservations is available 8:00 a.m. to 5:00 p.m. Pacific Time. Call 1 (714) 698-1234
- **FAX** the completed form to the hotel at 714-845-4990
- **MAIL** the completed form along with deposit to: Hyatt Regency Huntington Beach, 21500 Pacific Coast Highway, Huntington Beach, California 92648
- **ONLINE** at <http://huntingtonbeach.hyatt.com/groupbooking/hunrhpta2006>

2006 Annual Conference Committee

The room rates are \$195 for single or double occupancy guest rooms and \$260 for Regency Club rooms. All rates are subject to prevailing taxes. There will be no charge for children 18 years or younger who share a room with their parents with existing bedding. Your reservation will require one night's prepayment. Cancellation notification is required by 4:00 pm PST 72 hours prior to arrival. Upon arrival, your deposit will be applied to the last confirmed night of the reservation. Check-out time is 11:00 am. Rooms may not be available for check-in until after 4:00 pm. Parking: \$15 daily fee for valet parking will apply from June 21 through June 29, 2006.

Dress: For the Conference, sportswear or informal business dress is appropriate throughout the daytime sessions. Business suits and cocktail dresses are appropriate for the Tuesday evening dinner.

Continuing Education Credits:
Approximately eighteen (18) CPE credits (including 3 IPT ethics credit hours) are available for full attendance Monday through Wednesday.

The Institute for Professionals in Taxation is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org. In accordance with the standards of the National Registry of CPE Sponsors, CPE credits have been based on a 50-minute hour.

Certificate of Attendance should be turned in at the end of the program, and no later than 60 days after the conclusion of the program. Registrants who wish to obtain credit from other organizations should submit their particular form, along with IPT's form, to the IPT office for signature.

CMI's will receive hour for hour continuing education credits for actual session attendance upon submittal of the appropriate continuing education form within 60 days of the end of the program.

Photos will be taken at this event. These photos may be published in IPT publications, multimedia presentations, and on our website. Your attendance at this event grants IPT the right to publish these photos.

Prerequisites: None

Program Level: Multiple

Field of Study: Taxation

Instructional Method: Group Live

Advanced Preparation Required: None

Overall Chair

Arthur E. Bennett, CMI
Property Tax Assistance Co., Inc.

Co-Chairs Property Tax Program

Nancy Flagg
Ernst & Young LLP

Terry F. Palmer
Sempra Energy

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Property Tax Assistance Co., Inc.

Kellianne M. Nagy
The JohnBernard Company

2006 John P. Myers Memorial Golf Tournament — Sunday, June 25, 2006

The Institute's John P. Myers Memorial Golf Tournament is scheduled for Sunday, June 25, 2006 with a shotgun start at 8:00 a.m. This year's tournament is being held at the Black Gold Golf Club located in the foothills of Yorba Linda, nestled against Chino Hills State Park. The course, which opened in 2001, is an Arthur Hills championship designed golf course. The challenging par-72 layout measures 6,756 yards and incorporates several water features (including a stunning waterfall off the 18th green), slight elevation changes, rolling hills, strategic bunkering and breathtaking vistas overlooking Orange County. The 12th tee is the highest elevation tee box in all of Orange County, where golfers can see views of Catalina and Long Beach. There are five sets of tees to accommodate all levels of experience. All golf carts have a GPS Navigation system that displays distance to the pin and hazard areas on a color screen. According to Arthur Hills, "Players of all abilities will find Black Gold a dramatic composition of beauty, challenge and strategic options." Check out the course on their website: www.blackgoldgolf.com.

This year's fee will be \$155.00 which includes green fees, golf cart, range balls, bag tag, \$10,000 hole-in-one and other prizes, refreshments and transportation to and from the course.

This year's event will be played like the past four years, as a four person (a, b, c, d) scramble and will be played using the "STRING" tournament format. Each team will be provided a length of string, which can be used to extend any shot (e.g. that birdie putt left 6 inches short, can be counted in the hole by using 6 inches of string). The challenge here is to make the string count and not have any string left at the end of the round (more details later).

We are limited to a maximum of 100 golfers. Participants will have the option to sign up as an individual or as a team. All players will only be allowed to participate for the team prizes, if their registrations include their actual handicap or average 18-hole score. Golfers signing up as individuals will be teamed accordingly. Each team will consist of an a, b, c & d player based upon their actual handicap or average 18-hole score reported on the registration form.

We believe that the "string" format allows us to recognize the different teams' abilities and adjust the length of string accordingly. With this change five years ago, we found that it promoted the relaxed format (emphasizing fun and networking with new friends). Any foursome registered as a team will have their "string" length adjusted in the same manner as those teams comprised of individual registrants. With these adjustments, we believe the teams will be paired with similar abilities, allowing everyone to have fun and be evenly matched to compete for some great prizes. For this format to work fairly, it is critical that all participants provide their average score for 18 holes on a regulation length (6,000 yard or better), par 72 course.

Please complete the golf section on the conference registration form (this event requires a separate registration fee of \$155.00 US). Participation in the tournament is limited to the first 100 applicants, so send in your reservation and payment as soon as possible.

Payment in full for all conference registration fees is required to secure your spot in the tournament and will be on a first-received basis (for anyone requesting to be teamed with a spouse/guest, or as a team, all registration fees must be received to secure a place in the tournament). Anyone wishing to play but not included in the first 100 registrants will be placed on a standby list (in order received), and in the event of cancellations, will be placed on the team with the cancellation. Confirmation of registration for this event will be sent.

Tournament details, rules and prize breakdowns will be available upon picking up your conference registration materials, and will be announced before the shotgun start of the tournament.

Because Black Gold Golf Club is located approximately 40 minutes from the hotel, we are requiring that all golfers go by bus (which is included in the registration fee) to assure that we are all at the course in order to start on time. Upon arrival at the hotel, you may check your golf bag with the bell desk and tell them you are with our group playing in the Sunday tournament, and will need to pick up your clubs in time to be ready for the bus pickup, or you may prefer to keep your clubs in your own room Saturday evening and bring them down yourself. In either event, you will be responsible for getting yourself and your equipment onto the bus for the approximate 6:00 a.m. departure (you will be advised of exact time later) to the course. Likewise, after the tournament, you will be responsible for getting yourself and your clubs back on the bus for the return trip. Arrival at the course will be early enough to allow sufficient time to warm-up on the driving range or putting greens, change your metal spikes, if necessary, or arrange for rental clubs, if required. Everyone will be expected to be in their assigned carts with their equipment by 7:30 a.m. for last minute instructions and escort to their starting hole. Anyone not showing up will be subject to forfeiture of the registration fee. After May 25, a cancellation fee will be assessed. The fee for written cancellation notifications received by June 1st is \$25.00; the fee for cancellations received after June 1st but prior to June 8th is \$35. After June 8th, partial refunds will only be made if the tournament is full.

On behalf of the IPT Golf Committee, we look forward to seeing you in June. If you have any questions, please direct them to the IPT Atlanta office or Art Bennett (phone 562-920-1864, ext. 256) or Kellianne Nagy (phone 248-399-2100). The Golf Committee will consider all reasonable requests and may choose to honor such requests at their discretion.