

Tax Controversy and Litigation

Skadden

The Tax Controversy and Litigation Group at Skadden assists clients in resolving high-stakes, complex tax controversies. Our clients include corporations, partnerships, estates, individuals and government entities facing every kind of tax liability.

We have played a leading role in several of the most significant litigated tax cases in the United States, both at trial and on appeal. However, the vast majority of our successes are achieved quickly and privately, through the administrative process. We represent clients at every level and in every type of dispute resolution with taxing authorities, including at audit, in administrative appeal, in mediation and arbitration, and in international matters in competent authority situations. In addition to these traditional tax controversies, we are experienced in representing clients in the regulatory arena, in novel pre-filing agreements, in congressional investigations, as third parties under subpoena, in criminal investigations and under criminal indictment. We also represent clients in commercial disputes over the terms of tax sharing agreements.

Our litigation engagements include representing:

- Transocean in a transfer pricing case where the IRS conceded in full;
- several clients in international tax cases involving foreign tax credits;
- G-I Holdings, Inc. in its victory in a closely watched partnership case before the United States District Court for the District of New Jersey;
- priceline.com in dozens of litigations involving state and local tax issues around the country;
- clients in trials involving the compensatory nature of stock options, nuclear decommissioning and the taxation of life insurance companies;
- tax professionals in connection with investigations by the IRS Office of Professional Responsibility; and
- clients in important tax appeals before the Second and Tenth Circuits. We also filed a brief *amicus curiae* before the Supreme Court in litigation over whether tax accrual workpapers are protected attorney work product.

Our group brings years of administrative and policy experience, including as IRS commissioner, assistant secretary for tax policy at the Treasury Department, IRS chief counsel and IRS national chief of appeals. In addition, Skadden's attorneys have extensive legislative counsel experience with the Joint Committee on Taxation.

Skadden was named Tax Controversy Firm of the Year at the inaugural *Chambers USA* District of Columbia Awards in 2019, which recognize the leading practices based in the U.S. capital. We ranked No. 1 for tax in *Vault's* Best Law Firms every year since the rankings' inception (2010-20). In 2018, we received top honors at the annual *International Tax Review* Americas Awards including Americas Tax Firm of the Year and U.S. Tax Court Firm of the Year, among others. We also were selected as *The American Lawyer's* 2018 White Collar/Regulatory Litigation Department of the Year and a finalist in the *New York Law Journal's* 2019 Litigation Department of the Year competition. Skadden was named Law Firm of the Year for Tax Law by *U.S. News — Best Lawyers* in its 2019 Best Law Firms survey, and we were named among *Law360's* Tax Groups of 2016, 2017 and 2018. Our tax controversy practice and its members also repeatedly are recognized in the top bands of *Chambers USA*, *Chambers Global*, *Legal 500*, *Tax Directors Handbook* and *International Tax Review's* Tax Controversy Leaders Guide.