



Pat Smith Quoted in Tax Notes on Supplemental Briefs in Altera on Statute of Limitations Issue

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Ivins attorney Pat Smith was quoted in an article in *Tax Notes* on supplemental briefs filed in the Ninth Circuit *Altera* appeal on the issue of whether Altera's challenge to the provision in the section 482 cost-sharing regulations relating to stock-based compensation is barred by the general six-year statute of limitations that applies to suits against the government. Both Altera and the government agree that the statute of limitations does not apply here, in light of the government's position that the Anti-Injunction Act bars pre-enforcement challenges to the validity of tax regulations. *Parties Agree Altera's Transfer Pricing Challenge Not Time-Barred.*

Patrick J. Smith of Ivins, Phillips & Barker Chtd. said the IRS's position on the Anti-Injunction Act essentially left the government with no good argument that the six-year limitation should apply.

"Altera made some interesting additional arguments that will become much more relevant if it is determined that the Anti-Injunction Act does not in fact bar pre-enforcement challenges to tax regulations," Smith said.