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PROFESSIONAL BACKGROUND

Experience as Academic

<u>Summer, 1999 to Present</u>

University of Baltimore School of Law: Professor (with tenure). Fall, 2018, Acting Director of Graduate Tax Program.

<u>Fall 2007 to Fall 2009, Fall 2010, Fall 2011</u>

California Western School of Law: Visiting Professor.

<u>Fall 2009, Fall 2011</u>

University of San Diego School of Law: Visiting Professor.

<u>Spring, 1993 to Summer, 1999</u>

University of Baltimore School of Law: Professor (with tenure) and Director of Graduate Tax Program.

<u>Summer, 1989 to Spring, 1993</u>

University of Baltimore School of Law: Associate Professor (with tenure) and Director of Graduate Tax Program.

<u>Fall, 1985 to Summer, 1989</u>

University of Baltimore School of Law: Assistant Professor.

<u>Current Courses</u>

Federal Income Taxation
Fundamentals of Federal Income Taxation II
Partnership Taxation

<u>Prior Courses</u>

Business Entity Taxation

Corporate Taxation
Business Organizations
Property Law
Trusts and Estates

Have received very favorable faculty and student teaching evaluations (have ranked as high as first among the faculty in student teaching evaluations).

2015 awarded Saul Ewing Award for excellence in teaching in the area of transactional law.

Service

"Outside"

Made Member of American Law Institute in 2010.

Cited in Tax Notes article on limited partnerships and self-employment taxes in 2026.

Cited in New York Times article for partnership taxation expertise in 2025.

Cited in front-page Sunday New York Times article for partnership taxation expertise in 2024.

Presentations:

-Tax Notes Webinar (over 1000 registrants) with Prof. Karen Burke and Jim Sowell, esq. May, 2026
-ABA Tax Section (2007, 2008 panel chair and speaker both years for outreach program, 2009 Tax Policy Committee, 2017 and 2019 Partnership Committee--LLC Subcommittee, 2024 Partnership Committee, 2026 Tax Policy Committee)
-Wilmington Tax Group 2024
-Strafford 2024, 2026
-Mannes Greenberg Tax Society (Baltimore based) 2014, 2015, 2017 (twice), 2018-2021, 2023, 2024, 2025
-Oklahoma Bar Association 2020
-MACPA 2020
-LLC Institute 2017 (panel chair and speaker)
-Law and Society Conference 2007, 2008, 2009, 2015
-16th Annual Critical Tax Theory Conference 2014
-Chapman College Law School Business Tax Symposium 2014
-Washburn University School of Law Partnership Tax Symposium (2008, 2009)
-Max Planck Institute, Munich, Germany 2008
-ABA Real Property Probate and Trust Section (2007 panel chair and speaker)
-University of Freiburg (Germany 2007)
-Maryland Institute for Continuing Professional Education of Lawyers (numerous programs as member and panel chair, 1985 to present, averaging about one per

year, most recent 2007)
-University of Frankfurt (Germany 2004)
-National Conference of Law Librarians (1999)
-Louisiana CPA Society, Baltimore Association of Tax Counsel, and others

Member of ABA Tax Section, Partnership and LLC Committee, active on LLC Subcommittee until its dissolution; prior member of several ABA task forces.

Organized and participated in Zoom session on proposed partnership tax changes with the tax staff of Sen Ron Wyden, then chair of the Senate Finance Committee, JCT staff, and three Baltimore tax lawyers. About 25 persons participated. (2021)

Op-ed for Baltimore Sun (2017)

Op-ed pieces for Taxprof Listserv (2012, 2013, 2017).

Vice-Chair, ABA Tax Section Professional Services Committee 2008-2011.

Reviewer, Oxford University Press.

Have given over 35 CLE presentations; presentations included the preparation of substantial outlines

Past Member, Board of Journal of Taxation of Investments.

Past Member of Tax Advisory Committee of former Congressman Ben Cardin. (2000-2006)

National Exam Audit Committee for the Certified Financial Planners Board of Standards. (1995, 1996)

Past Member Tax Section Counsel (governing body of Tax Section of Maryland Bar Association) and past chair and vice-chair of Law School Liaison Committee of Tax Section of Maryland Bar Association. (1992-1994)

Past member of Transactional Tax Study Group of Maryland Bar Association (including predecessor group, 1985-2000), past co-chair of Corporate Tax Study Group. (1987)

Past Member Board of Directors of Baltimore Bar Foundation. (1989-1993)

"Inside"

Current chair, Academic Standards, member of a P&T subcommittee, and two university committees.

Acting Director, Graduate Tax Program (fall, 2018)

Past Chair of Dean Search Committee, Academic Standards, Appointments Committee (five times), Post-Tenure Review Committee, Promotion and Tenure Committee, Promotion and Tenure Policy Committee, Promotion and Tenure Policy Subcommittee charged with revising standards, Graduate Tax Program Joint Governance Committee, Law School Satellite Committee, Committee to Review Centers, LLM Committee, Faculty Awards Committee, numerous Promotion and Tenure Subcommittees.

Past Director, German Law Initiative for Center for International and Comparative Law at University of Baltimore.

Past member of ABA Self-Study Committee, Ad Hoc Dean's Advisory Committee, Promotion and Tenure Policy Committee, Provost Council, Graduate Tax Program Governance Committee, Adjunct Faculty Committee, Career Services Committee, Academic Standards Committee, Appointments Committee, Associate Dean Selection Committee, Curriculum Committee, numerous Promotion and Tenure Subcommittees.

Private Legal Practice

Admitted to practice in Colorado, and before the Tax Court, Federal Court, and Tenth Circuit Court of Appeals.

<u>March, 1980 to Summer, 1985</u>

Partner, Ellis, King and Schwidetzky (and predecessor firm), Denver, Colorado.

Law practice included tax opinions, tax shelter review, tax planning for partnerships, corporations, and businesses generally, oil and gas taxation, reorganizations, assistance in preparation of private and public offering memoranda, international transactions.

<u>May, 1979 to March, 1980</u>

Associate, McCulloch and King, Denver, Colorado

EDUCATION

University of Denver:

March, 1984 Master of Laws in Taxation (College of Law)

June, 1978	Juris Doctor (College of Law)
	Class Standing: 8 out of about 200 Order of St. Ives (awarded to those with upper 10% class standing) American Jurisprudence Award Denver Journal of International Law and Policy Invited to join the Denver Law Journal
June, 1978	Master of Business Administration (College of Business)
June, 1974	Bachelor of Arts (College of Liberal Arts) Phi Beta Kappa

PUBLICATIONS

Books

Partnership Taxation, textbook with problems (with Richard Lipton, Paul Carman, Charles Fassler (editions 1-4) and Ross Cohen (edition 5), Carolina Academic Press
2006, 2008 (2nd edition), 2012 (3rd edition), 2017 (4th edition), 2021 (5th edition), 2026 (6th edition)

(I wrote about one-third of first edition, coordinated the effort, and was the contact with the publisher; I was the primary author of second edition; Paul Carman and I were the primary authors of the 3rd – 6th editions, though I bore the bulk of the responsibility for writing each new edition.

Understanding Business Entity Taxation, Carolina Academic Press (with Professor Fred Brown)
2015, 2021 (2nd edition), 2026 (3rd edition)

Limited Liability Handbook, annual editions, Thomson Reuters (until 2023 with former Villanova Dean Mark Sargent)
1994-2026
(For most of that time, I was the only active author. Starting in 2024, I am the only listed author.)

Articles

Not included in this list are numerous outlines prepared for presentations given to academic and professional groups, usually of substantial length.

Otay Shows Why We Need the Economic Substance Doctrine, 191 Tax Notes 2279
(2026)

Related Party Partnerships—The Ultimate Tax Dodge 79 Tax Lawyer 135
2026

The Otay Sham, 188 Tax Notes 1285
2025

Reforming Self-Employment Taxes
185 Tax Notes 461 (Tax Notes is a top tax journal in

which tax professors commonly publish)
2024

The Worthlessness Deduction for Partnership Interests: An Unguided Missile
183 Tax Notes 461
2024

What is in a Name: Who Qualifies as a Limited Partner for Self-Employment Tax Purposes
41 Journal of Taxation of Investments 3 (2024)

Real World Reform of Partnership Allocations
77 Tax Lawyer 169 (The Tax Lawyer is a peer-reviewed law review of the ABA Tax Section and is considered one of the top journals in which to place a tax article. Circulation of 20,000+.) Republished in PLI
2024

Guaranteed Payments: A Bad Idea That Should be Repealed, 180 Tax Notes 1599
2023

The Wyden Proposals on Partnership Debt: Step Forward or Back?
76 Tax Lawyer 389
2023

The Wyden Proposal: Unfriendly to Small Partnerships but a Good First Step,
172 Tax Notes 2189
2021

Partnership Debt Workouts During a Pandemic, 169 Tax Notes 229
2020

Code Sec. 163(j), the Proposed Regulations, and Partnerships: The Nightmare Basics, 98 Taxes The Tax Magazine, Issue 2, 19
2020

Complexity Cubed: Partnerships, Interest, and the Proposed Regulations, 165 Tax Notes 1113
Republished by Practicing Law Institute

2019

In Defense of the PIP Regulations, 72 Tax Lawyer 519
2019

Carried Interests Under the TCJA: Progress or Regress?, 160 Tax Notes 1673
2018

The Pros and Cons of LLCs, 226 Journal of Accountancy 52
2018

Temporary and Proposed Section 752 Regulations, Progress or Regress?, 35 Journal of Taxation of Investments 3 (peer-reviewed journal)
2017

The Choice of Entity Decision in a Blueprint World, 155 Tax Notes 76
2017

Partnership Tax Allocations, The Basics, 46 Colorado Lawyer 39
2017

The Negative Capital Account Maze, 152 Tax Notes 1107
2016

The Integration of Subchapters S and K, The Beat Goes On, 18 Chapman Law Review 93
2014

Income Taxation in the United States and Germany: The Rugged Individualist Meets the Social Activist, 27 Journal of Taxation of Investments 3, Lead Article (with Rolf Eicke)
2010

Integrating Subchapters S and K, Just Do It, 62 Tax Lawyer 749, Cited by 8th Circuit in text of opinion (not in footnote)
2009

Notice 2007-9 (brief article written in German)
IStR (premier German international tax journal)
2008

Proposed Regulations under Subpart F (brief article written in German)
IStR (premier German international tax journal)
2008

Family Limited Partnerships: The Beat Goes On, 60 Tax Lawyer 277
2007

The Proposed Regulations on Noncompensatory Options, A Light at the End of the Tunnel, 21 Journal of Taxation of Investments 155
2004

Life is Change: Options to Acquire Partnership Interests, Can the Tax Law Keep Pace, 20 Journal of Investment Taxation 99, Lead Article
2003

Last Gasp Estate Planning: The Formation of Limited Liability Entities Shortly Before Death, 21 Virginia Tax Review 1, Lead Article
2001

A Comparison of Corporate Taxation in the United States and Germany: Different Ways Up The Mountain, 28 University of Georgia Journal of International and Comparative Law 217, Lead Article
2000

Hyperlexis and the Annual Exclusion Rule, 32 Suffolk University Law Review 212
1999
(cited in Dobris, Sterk, and Leslie, Estates and Trusts, 3rd ed. p. 491)

The Partnership Allocation Rules of Section 704(b): To Be or Not to Be, 17 Virginia Tax Review 707
1998

Hyperlexis and the Loophole, 49 University of Oklahoma Law Review 403, Lead Article

1997

The Check-the-Box Regulations, 13 Tax Management Real Estate Journal 221
1997

Is it Time to Give the S Corporation a Proper Burial?, 15 Virginia Tax Review 591, Lead Article
1996
(cited in The American Law Institute, Taxation of Private Business Enterprises (1999) and by the Joint Committee of Taxation in its 1997 report: Review of Selected Entity Classification and Partnership Tax Issues)

A Comparison of United States and German Partnership Taxation: A Study in Differences, 10 The American University Journal of International Law and Policy 1331
1995

Heirs May Face Open Ended Liability, 23 Taxation for Lawyers 338
1995

Good-bye S Corporation, Hello Limited Liability Company,10 The Compleat Lawyer 1 (1993); reprinted in The Limited Liability Company Handbook, second edition, Clark, Boardman and Callaghan.
1993

Partnership Taxation: Restructuring Partnership Debt -- Life is Change, 11 Virginia Tax Review 523
1992

Foreign Taxation: The Section 367(e) Regulations--No Place to Hide, 11 Northwestern Journal of International Law & Business 523
1991

The New Activity Regulations under Section 469: Into the Abyss, 9 Virginia Tax Review 525
1990

Chapter on Capital Gains for Matthew Bender's Federal Taxation Series (52 pages)
1989

The Tax Benefits of Liabilities--Their Rise and Fall, 41 Southwestern Law Journal (Law Journal of Southern Methodist University) 953, Lead Article
1988

Subpart F, 1986 and Beyond, 17 University of Baltimore Law Review 213, Lead Article
1988

Oil and Gas Taxation: The Pool of Capital Doctrine, A Peace Proposal, 61 Tulane Law Review 519
Cited by 7th Circuit,
1987

Orwell and the Tax Shelter and Compliance Provisions of the Tax Reform Act of 1984, 14 Colorado Lawyer 774
1985