Tax Law Section

SPEAKER BIOGRAPHIES

W. VERNE MCGOUGH

Principle Areas of Practice – Estate Planning, Probate, Tax and Corporate Law.
Mr. McGough represented numerous taxpayers in audit and collections activity before the Internal Revenue Serve and S.C. Department of Revenue.
He graduated from Appalachian State University in 2002 with a Bachelor's degree in Music. Then, in 2006 Mr. McGough earned his Juris Doctor and IMBA from the University of South Carolina School of Law. In addition, he achieved his LLM in Tax Law from Boston University.
Verne is an active member of the Tax Law Section; Probate, Estate Planning & Trust Section; and the Wills Clinic. Outside of the Bar, he is a member of ABA, the Greenville County Bar, and the Richland County Bar.

KRISTIN BALDING GUTTING

Kristin Balding Gutting is an Assistant Professor of Law at the Charleston School of Law. Professor Gutting joined the Charleston School of Law faculty in 2007 and teaches in the areas of federal income taxation, tax research, partnership taxation, and civil tax procedure and litigation strategy.
Prior to her work in academia, Professor Gutting served as an associate in the area of tax law at Sutherland Asbill and Brennan, and at Chamberlain Hrdlicka working in the tax controversy and state and local tax groups. She was an international tax senior consultant for Deloitte in McLean, Virginia from 2001 to 2003.
Before joining the Charleston School of Law, Professor Gutting taught federal income tax law, tax research, partnership tax and a tax seminar at the Levin College of Law at the University of Florida.
Professor Gutting earned the degree of Master of Laws (LL.M.) in Taxation from the University of Florida Graduate Tax Program at the Levin College of Law. Upon graduating from the Levin College of Law, Professor Gutting received the Richard B. Stephens Award, given to the most outstanding student in the LL.M. program, as determined by the University of Florida Levin College of Law tax faculty.
Professor Gutting earned a Juris Doctor, *magna cum laude,* from the Saint Louis University School of Law, where she was named to the Order of Woolsack. She earned a Bachelor of Science in Accounting, *cum laude,* from Valparaiso University.

DAVID D. AUGHTRY

David Aughtry's practice focuses on civil and criminal tax litigation. He graduated from The Citadel in 1975 with a B.A. in English, from the University of South Carolina in 1978 with a Master's in Accounting and a law degree, and from Emory University in 1982 with a Masters in Taxation (LL.M.). Upon graduation from the University of South Carolina Law School, Mr. Aughtry joined the Internal Revenue Service as a Trial Attorney, Office of the Chief Counsel, where he also served as a Tax Shelter Coordinator. Mr. Aughtry taught Tax Controversy as an Adjunct Professor in the Emory University Masters in Taxation Program from 1987 through 1994 and in the Emory School of Law from 1995 through 1998 and 2003. From 1996 through 2002, he served as an Instructor for the National Institute of Trial Advocates (NITA) in its program on "Litigating before the United States Tax Court" and was recently selected as a fellow of the International Society of Barristers. He is recognized as a national authority in tax litigation in Chambers USA and the US Legal 500 Litigation Guide.
Mr. Aughtry has tried (and/or argued on appeal) over 70 cases and successfully argued *Hubert v. Commissioner* before the Tax Court, the Eleventh Circuit, and the United States Supreme Court.
Among the public company matters, David successfully tried *Santa Fe Pacific Gold Co. v.*

Commissioner (termination or breakup fee in hostile takeover held to be deductible, with *Indopco* distinguished) and *Plains Petroleum Co. v. Commissioner* (Section 269 tax avoidance held factually inapplicable to acquisition of subsidiary with an $85 mil. NOL) to a final opinion.

Within the last several years, David won *Topping v. Commissioner*, (the first successful case recognizing horses as a deductible business development tool), *Vines v. Commissioner* ($13 million case in which the Tax Court held the IRS improperly denied the taxpayer 9100 Relief), and *Caracci v. Commissioner* (another case of first impression in which the Fifth Circuit reversed the Tax Court and rejected the last of $389 million in intermediate sanctions, taxes, and interest). *Topping* reaches the opposite result as *Boddy v. Commissioner* (Arabian horse hobby loss) which Mr. Aughtry won when he was trying cases for the government.

Mr. Aughtry was Chairman of the Budget and Investment Committees of the State Bar of Georgia (1989-1994), served last year as President of the Southern Federal Tax Institute and serves this year as Chairman of the Board of Trustees. He is a nationally recognized speaker, including presentations for TEI, Mississippi Tax Institute, American Tax Institute (Ala.), Georgia Tax Conference, Tennessee Tax Institute, Kentucky Tax Institute, AICPA Valuation Conferences, and various other tax programs.