

TAX INVESTIGATIONS & DEFENSE

In the current environment of greater tax-related accountability, companies, directors, officers, employees, and individuals are facing increasing government scrutiny and more severe criminal and civil penalties. Hodgson Russ's tax investigations and defense attorneys have the substantive knowledge, negotiating skills, and trial experience required to help guide our clients through the entire tax defense process.

Our attorneys draw on their knowledge of all areas of federal, state, and New York City tax law as they respond to subpoenas and investigative demands, defend clients at depositions and interviews, represent clients during residency audits, and counsel clients about their obligations under various government regulatory guidelines.

Hodgson Russ attorneys provide representation in grand jury proceedings, federal and state investigations, and revenue crimes bureau and special investigation unit examinations, as well as before audit divisions that include the New York State Department of Taxation and Finance and the New York City Department of Finance.

Whether the tax in question is income, corporate, sales and use, withholding, gift and estate, cigarette and tobacco, unincorporated business, or motor fuel, we have extensive

experience in navigating the complex and murky waters of the tax codes. Our attorneys also defend businesses and individuals accused by whistleblowers of violations of the newly enacted New York State False Claims Act and the federal False Claims Act.

We have successfully defended corporations, partnerships, and individual clients under investigation for or charged with alleged violations of a wide variety of offenses, including:

- Tax shelter abuses
- Money laundering and check kiting
- Unreported income and fictitious expenses
- The misappropriation of sales tax and employment tax trust funds
- Tax fraud
- Non-filing

Our goal is to use our experience and creativity to resolve tax issues before charges are filed and investigations become public.

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Hodgson Russ has been awarded prestigious “Best Law Firm” rankings by Best Lawyers/U.S. News & World Report in the categories of National Tier 2 Tax Law and Litigation – Tax, Metropolitan Tier 1 Tax Law, and Metropolitan Tier 2 Litigation – Tax.



- Household-help issues
- Employee misclassification
- Payments “off the books”
- False statements and false claims
- Evasion
- Structuring
- Obstruction
- Department of Labor audits

Our goal is to use our experience and creativity to resolve tax issues before charges are filed and investigations become public. Our understanding not only of the tax codes but also of the systems and processes often helps reach a desirable outcome. When litigation is necessary, our clients benefit from our extensive experience appearing before courts at all levels and from our willingness to work tirelessly to try to obtain the most favorable outcome possible.

Among the frequently asked questions we receive are:

- Tax agents have shown up unannounced and want to talk to me or my employees. What should I do?
- What is a grand jury investigation, and why have I received a subpoena?
- Investigators are asking questions and requesting documents about me and my business. What does this mean?
- What is voluntary disclosure, and should I do it?
- Do I have an innocent-spouse defense?
- Should I sign consent to extend the statute of limitation?

Prospective clients are urged to seek our counsel before responding to inquiries or making statements to investigators or auditors. Communications with our attorneys are confidential and privileged.

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Practice restricted to U.S. law



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