



## || Federal Taxation

Federal tax planning is one of the most important legal issues for individuals, businesses and organizations. An uninformed tax decision can have disastrous consequences. Foster Swift's tax attorneys work to reduce federal tax exposure and make sure our clients understand the tax implications of their decisions.

- **Business Income Taxes.** We advise clients on tax issues that affect their businesses on a daily basis. Our counsel often begins with selecting the proper entity to do business, typically a limited liability company, a "C" corporation, or an "S" corporation. We help clients make the proper tax elections and structure their businesses in a tax-efficient manner. Our tax services evolve and adapt as the business grows. We assist clients with restructuring their businesses to reduce net taxes and identifying deductions, credits, and other tax savings opportunities.
- **Business Transactions.** Most business transactions have federal income tax consequences. Often transactions that are substantively identical are taxed differently based on how they are structured. Examples include mergers, acquisitions, reorganizations, liquidations, intracompany transactions, joint ventures and other contractual relationships, employee benefit and executive compensation arrangements, settlements as well as, estate planning. Our tax attorneys have advised all types of clients regarding the federal income tax implications of these transactions and countless others.
- **Withholding and Payroll Taxes.** Failing to timely pay withholding and payroll taxes is a common and costly mistake made by many businesses. Officers of a business and others may be held personally liable for unpaid withholding and payroll taxes, even if the business has been dissolved or filed bankruptcy. Our tax attorneys regularly represent officers and businesses in these situations. We also advise businesses on the many issues that can arise with respect to withholding and payroll tax compliance, and represent our clients during audits and appeals.

---

### ATTORNEYS

#### Shareholder

Joel C. Farrar

Todd W. Hoppe

Charles A. Janssen

Ryan E. Lamb

Nicholas M. Oertel

Lynwood P. VandenBosch

Michael C. Zahrt

#### Associate

Amanda J. Dernovshek

Nicholas J. Stock II

---

### RELATED PRACTICES

Executive Compensation

International Taxation

Michigan Tax

Property Tax

State and Federal Audits and Tax Disputes

Tax Exempt Organizations

Tax Law

---

- **Compensation Arrangements.** Every compensation arrangement should be reviewed by qualified counsel to ensure the arrangement complies with federal tax rules, including Section 409A of the Internal Revenue Code. Of particular concern are qualified and nonqualified deferred compensation plans, which are subject to a number of strict rules and potentially severe penalties. Our attorneys have extensive experience helping clients design top-tier compensation plans that comply with all requirements of applicable law.
- **Individual Income Taxes.** We regularly advise individuals and business owners with respect to individual income taxes. Our advice ranges from individual tax planning to representation on IRS audits and in other tax disputes.

## **PUBLICATIONS & ALERTS**

Senate Passes Extension of 2018 Farm Bill, *Foster Swift Agricultural Law News E-blast*, November 16, 2023

2023 Legal and Regulatory Developments for Agribusinesses, *Foster Swift Agricultural Law News*, August 30, 2023

How the Inflation Reduction Act Impacts Farmers, *Foster Swift Agricultural Law News*, August 23, 2022

Loss of Basis Step-Up at Death and Increase in Capital Gains Tax, *Foster Swift Trust & Estates Law News*, February 2, 2021

The Post-Wayfair Future of SALT Controversies: The Due Process Clause, *Michigan Association of Certified Public Accountants (MICPA)*, July 17, 2018

Just the Beginning: Click-Through Nexus after Wayfair, *Michigan Association of Certified Public Accountants (MICPA)*, July 10, 2018

New Federal Tax Bill Includes Helpful Provisions for Farmers, Especially Those Marketing Through Cooperatives, *Foster Swift Agricultural Law News*, February 14, 2018

Alternatives to Section 179 for Year-End Tax Planning, *Foster Swift Business & Corporate Law News*, November 21, 2016

Should Your Farm Use the Section 179 Deduction this Year?, *Foster Swift Agricultural Law News*, November 18, 2016

Is Section 179 Right for You?, *Foster Swift Business & Corporate Law News*, October 31, 2016

President Obama Signs Tax Increase Prevention Act, *Foster Swift Business & Corporate Law Report*, December 22, 2014

New Tax Savings Opportunity, *Foster Swift Business & Corporate Law Update*, October 2009

## **NEWS**

Grand Rapids Law Firm Welcomes Two Associates, *Grand Rapids Legal News*, November 14, 2022

## **EVENTS**

Troubleshooting Sales Tax Nexus Post-Wayfair, *Michigan Association of Certified Public Accountants (MICPA)*, June 6, 2019