

LITIGATION ROSTER

FRANCHISE AND INCOME TAX

JUNE 2014

**Franchise and Income Tax
JUNE 2014**

NEW CASES

Case Name

Court/Case Number

None

CLOSED CASES

Case Name

Court/Case Number

None

Please refer to the case roster for more detail regarding new and closed cases

Franchise and Income Tax
LITIGATION ROSTER
JUNE 2014

CHEN, FRANK AND SUSAN v. Franchise Tax Board and State Board of Equalization

Alameda County Superior Court: RG14716100

Filed -3/10/2014

Plaintiff's Counsel

In Pro Per

Frank Chen

BOE's Counsel

Anne Michelle Burr

BOE Attorney

John Waid

Issue(s): Petitioners filed a Petition for Writ of Mandate against BOE seeking a claim for refund for years 2005 and 2006; and "correction" of BOE's and FTB's denial of the refund claims. Petitioners dispute FTB's interpretation of [Revenue and Taxation Code, Section 18155](#).

Audit/Tax Period: None

Amount: \$0.00

Status: BOE received the Summons, Petition for Writ of Mandate, and supporting documents on March 10, 2014.

The case was assigned to San Francisco DAG Anne Michelle Burr on March 17, 2014. Hearing was scheduled in Alameda County Superior Court for May 19, 2014. On May 14, 2014, the court granted the demurrer and dismissed the case on the ground that a writ petition cannot be used to obtain a tax refund. The May 19, 2014 Case Management Conference was taken off calendar.

Franchise and Income Tax
CLOSED CASES
LITIGATION ROSTER
JUNE 2014

NONE

DISCLAIMER

Every attempt has been made to ensure the information contained herein is valid and accurate at the time of publication. However, the tax laws are complex and subject to change. If there is a conflict between the law and the information found, decisions will be made based on the law.

Links to information on sites not maintained by the Board of Equalization are provided only as a public service. The Board is not responsible for the content and accuracy of the information on those sites.