

LITIGATION ROSTER

FRANCHISE AND INCOME TAX

FEBRUARY 2015

**Franchise and Income Tax
FEBRUARY 2015**

NEW CASES

Case Name

Court/Case Number

**GILBERT P. HYATT v. JOHN CHIANG,
JEROME E. HORTON, AND MICHAEL
COHEN, CALIFORNIA FRANCHISE TAX
BOARD MEMBERS; BETTY T. YEE, GEORGE
RUNNER, MICHELLE STEEL, JEROME E.
HORTON, AND JOHN CHIANG, CALIFORNIA
STATE BOARD OF EQUALIZATION MEMBERS;
AND DOES 1 THROUGH 20**

USDC, Eastern Dist. CA
14-CV-00849-GEB-DAD

CLOSED CASES

Case Name

Court/Case Number

**GREGOLINE, JAMES ALLEN v.
THE UNITED STATES OF AMERICA, THE
STATE OF CALIFORNIA, DEPT. OF THE
TREASURY, INTERNAL REVENUE SERVICE,
FRANCHISE TAX BOARD, U.S. TAX COURT,
STATE BOARD OF EQUALIZATION, MELBA
ACOSTO-FEBO, JOHN KOSKINEN, STANLEY
J. GOLDBERG, BRYAN E. SLADEK, MS. STEELE,
MS.YEE, MR. HORTON, MR. RUNNER, MS. MANDEL,
MR. CHIANG, SELVI STANISLAUS, JESS DE LEGARRET**

USDC So. Dist. CA
1:14-CV-00776-MCW

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

Franchise and Income Tax
LITIGATION ROSTER
FEBRUARY 2015

GILBERT P. HYATT v. JOHN CHIANG, JEROME E. HORTON, AND MICHAEL COHEN, CALIFORNIA FRANCHISE TAX BOARD MEMBERS; BETTY T. YEE, GEORGE RUNNER, MICHELLE STEEL, JEROME E. HORTON, AND JOHN CHIANG, CALIFORNIA STATE BOARD OF EQUALIZATION MEMBERS; AND DOES 1 THROUGH 20

USDC, Eastern Dist. CA:
1:14-CV-00849-GEB-DAD
Filed – 4/04/2014

Plaintiff's Counsel

Malcolm Segal, Segal & Associates, PC
Donald J. Kula, Perkins Cole, LLP
UC Irvine School of Law

BOE's Counsel

Kerr & Wagstaffe LLP

BOE Attorney

John Waid

Issue(s): Whether the federal court is barred by the Tax Injunction Act, 28 U.S.C. 1341, from hearing the taxpayer Hyatt's claim for an injunction forbidding Defendants, Members of the Board and FTB, from continuing the investigation and administrative proceedings against him, and forbidding Defendants from continuing to assess or threaten to assess him, or collect or threaten to collect from him taxes, penalties or interest.

Audit/Tax Period: 1991 and 1992

Amount: \$0.00

Status: October 3, 2014, the BOE's Reply In Support of Motion to Dismiss For Lack of Jurisdiction and for Failure to State a Claim was filed. On February 10, 2015, the Federal District Court granted BOE's and FTB's Motions to Dismiss for lack of subject matter jurisdiction, without leave to amend. On February 18, 2015, Hyatt filed a Notice of Appeal in the Ninth Circuit Court of Appeals.

**Franchise and Income Tax
CLOSED CASES
LITIGATION ROSTER
FEBRUARY 2015**

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THE UNITED STATES OF AMERICA, THE
STATE OF CALIFORNIA, DEPT. OF THE
TREASURY, INTERNAL REVENUE SERVICE,
FRANCHISE TAX BOARD, U.S. TAX COURT,
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ACOSTO-FEBO, JOHN KOSKINEN, STANLEY
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DISCLAIMER

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