

TAXPAYER EXHIBIT

B1

February 24, 2015

Myles D. Hubers and Michell R. Hubers
534595

1 Marc S. Schechter, Bar No. 116190
2 Paul D. Woodard, Bar No. 282470
3 BUTTERFIELD SCHECHTER ♦LLP
4 10021 Willow Creek Road, Suite 200
5 San Diego, California 92131-3961
6 (858)444-2300/FAX (858)444-2345
7 mschechter@bsllp.com
8 pwoodard@bsllp.com

STATE BOARD OF EQUALIZATION



Appeal Name: Myles D. Hubers & Michell R. Hubers

Case ID: 534595 ITEM # B1

Date: 2/24/15 Exhibit No: 2.5

TP FTB DEPT PUBLIC COMMENT

Attorneys for Appellants Myles D. & Michelle R. Hubers

BEFORE THE STATE BOARD OF EQUALIZATION
OF THE STATE OF CALIFORNIA

In the Matter of the Appeal of:

APPEAL CASE NO. 534595

MYLES D. & MICHELLE R. HUBERS

DECLARATION OF MYLES D. HUBERS IN
SUPPORT OF THE BOARD OF
EQUALIZATION APPEAL REHEARING

I, Myles D. Hubers, declare as follows:

1. I am the Appellant in the above-referenced matter.
2. The facts set forth in this declaration are based upon my personal knowledge and belief and if called to testify thereon, I could do so truthfully and competently.
3. I was first provided information regarding S-Corporation ESOPs from my former attorney James Hoey in 2001.
4. Mr. Hoey informed me that he learned about the use of S-Corporation ESOPs at issue at a Continuing Legal Education (CLE) seminar sponsored by the California State Bar Association in 2001.
5. After speaking with Mr. Hoey and consulting my financial advisors, I engaged Butterfield Schechter to draft the Money Matters Management 401(k) ESOP ("MMM 401(k) ESOP").
6. My resume did not list Money Matters Management ("MMM") as one of my employers because Mortgage Loan Specialists ("MLS") was the public face of the business

BUTTERFIELD
SCHECHTER
♦LLP

{00284594.DOC}

1 operations.

2 7. At no point in time did Butterfield Schechter LLP request that I keep the
3 establishment of the MMM 401(k) ESOP or the management agreement between MMM and
4 MLS confidential or limit my disclosure to any third party.

5 8. At no point in time did I believe that the establishment of the MMM 401(k)
6 ESOP and management agreement between MMM and MLS would be confidential.

7 9. At no point in time did I agree to keep the establishment of the MMM 401(k)
8 ESOP and management agreement between MMM and MLS confidential.

9 I declare under penalty of perjury under the laws of the United States of America that
10 the foregoing is true and correct.

11 Executed at this 20th day of February, 2015.

12
13 
14 _____
15 MYLES D. HUBERS
16
17
18
19
20
21
22
23
24
25
26

27 BUTTERFIELD
28 SCHECHTER
♦ LLP

{00284594.DOC}