



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
916-322-2270 • FAX 916-324-3984
www.boe.ca.gov

BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario/Sacramento

MICHELLE STEEL
Third District, Rolling Hills Estates

JUDY CHU, Ph.D.
Fourth District, Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director

**STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
October 2-4, 2007
NOTICE AND AGENDA
Meeting Agenda (as of 7:38 a.m., 10-09-2007)**

Agenda Changes

Recorded Audio from Tuesday, October 2, 2007

Thursday, October 4, 2007

Board Meeting convenes at 9:30 a.m.*

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chairwoman, Ms. Yee, may modify the order of the items on the agenda.

BOARD MEETING

ORAL HEARINGS

A. Homeowner and Renter Property Tax Assistance Hearings

There are no items for this matter.

B. Corporate Franchise and Personal Income Tax Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B1. Domingo Chavez, Jr., 378262

For Appellant: Domingo Chavez, Jr., Taxpayer
Carrie Chavez, Witness

For Franchise Tax Board: Jane Perez, Tax Counsel

B2. Donna Yarnovich, 345641

For Appellant: Donna Yarnovich, Taxpayer
Edward Yarnovich, Representative

For Franchise Tax Board: Diane Ewing, Tax Counsel

- B3. Michael Edward Farrell and Christine Marie Farrell, 268382
 For Appellant: Michael E. Farrell, Taxpayer
 For Franchise Tax Board: Jozel Brunett, Tax Counsel
- B4. Kenneth Schweit, 342024
 For Appellant: Kenneth Schweit, Taxpayer
 For Franchise Tax Board: Jane Perez, Tax Counsel
- B5. David H. Ward, 379737
 For Appellant: Keith Shibou, Representative
 For Franchise Tax Board: Natasha Page, Tax Counsel
- B6. Hseintai Meng and Shauming Mong, 333224
 For Appellant: Hseintai Meng, Taxpayer
 Alan Spiegel, Representative
 For Franchise Tax Board: Christopher Parker, Tax Counsel
- B7a. Leonard J. Saubel, 352452, 379738
 B7b. Lonae J. Saubel, 355613
 B7c. Leila J. Saubel, 355681
 For Appellant: Keith Shibou, Representative
 For Franchise Tax Board: Natasha Page, Tax Counsel
- B8. Daniel V, Inc., 342609
 For Appellant: Marty Dakessian, Attorney
 David Keligian, Attorney
 David Hehn, Witness
 For Franchise Tax Board: William Gardner, Tax Counsel
- B9. Berendo, Inc., 384277
 For Appellant: Wayne R. Johnson, Attorney
 For Franchise Tax Board: Christopher Haskins, Tax Counsel
- B10. Kent Fitch and Katherine Fitch, 328497
 For Appellant: Appearance Waived
 For Franchise Tax Board: Diane Ewing, Tax Counsel

G. Tax Program Nonappearance Matters – Consent

(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.)

G1 Legal Appeals MattersMr. Levine

- Hearing Notice Sent – No Response
 1. Thomas D. Thomas, 315849 (UT)
 2. Patricia Golden, 343757 (AA)
 3. Bradford H. Sachs, 260796 (EAA)
 4. Matthew Aloysius Valentine, 249941 (EH)

- Hearing Notice Sent – Appearance Waived
 5. Larry Wahl and Patricia J. Wahl, 268395 (MT)
 6. Jales A. Mello, 269575 (EH)
 7. Artest Corporation, 301725, 301726, 301728, 301729, 301731, 301732, 301733, 301735, 334953, 339732, 339735, 339736, 346954, 356096, 356097, 356098 (GH)
- Petition for Release of Seized Property
 8. San Mateo Links Corporation, 405480 (ET)

G2 Franchise and Income Tax Matters.....Ms. Kelly

- Decisions
 1. Phil Blat, 359601
 2. Harold Leonard Kuder, Jr., 362625
 3. Michael S. Stele and Emma V. Stele, 358661
 4. Albert W. Yeung, 360336
- Petitions for Rehearing
 5. Jose Alvarez, Jr., 342600
 6. Butch Berry, 344963
 7. David Klein, 316299, 342006
 8. Joel Kreiner and Stella Kreiner, 340869
 9. Margaret L. Rogers, 330576, 331883, 332659

G3 Homeowner and Renter Property Tax Assistance Matters.....Ms. Kelly

- Decisions
 1. Felicidad E. Ayeras, 379517
 2. Jicai Chen, 379288
 3. Jimmy L. Conley, 387625
 4. Ernesto S. Cortes, 380024
 5. Mary G. Domen, 378261
 6. Rakhil Goldberg, 379924
 7. Albert Hawkins, 378175
 8. Hyingil Kim, 374503
 9. Carolyn Kincaid, 380513
 10. Yan-Qun Liang, 374157
 11. Lien B. Nguyen, 373057
 12. Vitaliy Tsverov, 378187
 13. Deming Wen, 372919
 14. Xiu Ying Ye, 378572

G4 Sales and Use Taxes Matters Ms. Henry

- Redeterminations
 1. Catalina Channel Express, Inc., 355256 (EAB)
 2. Michael P. Rogers, 314398 (CH)
 3. Shell Oil Company, 288839 (OHC)
- Relief of Penalty/Interest
 4. Christies, Inc., 404723 (OHB)
 5. Hanson Aggregates. Pacific Southwest, Inc., 405962 (OHC)
 6. Nextel Systems Corporation, 405963 (OHB)
- Denials of Claims for Refund
 7. Huntsman Advance Materials Americas, Inc., 349730 (AS)
 8. CB Mill, Inc., 312199 (BH)
 9. Rancho Santa Fe Thrift & Loan, 305283 (FHB)

G5 Sales and Use Taxes Matters – Credits, Cancellations, and Refunds..... Ms. Henry

- Credits and Cancellations
 1. Accent Bath Remodeling, 406678 (AS)
- Refunds
 2. Lamps Plus, Inc., 401685 (AC)
 3. Advance Business Graphics, 341259 (EH)
 4. Nissan North America, Inc., 380206 (AS)
 5. Visa U.S.A., Inc., 379212 (BH)
 6. Serb Systems, Inc., 400804 (CH)
 7. Stater Brothers Markets, Inc., 406921 (EH)
 8. Stanford University Hospital, 332029 (GH)
 9. KHS a Division of Klochner KHS, 398834 (OHA)
 10. Dang Vu, Inc., 405574 (EA)
 11. Wells Fargo Service Company, 330484 (BH)
 12. C.R. Bard, Inc., 202145 (OHB)
 13. NCR Corporation, 373868 (OHA)
 14. Cedars-Sinai Medical Center, 271116 (AS)
 15. Frito-Lay North America, Inc. 376797 (OHC)
 16. Mobile Systems Wireless, Inc., 405235 (FHB)
 17. Rancho Santa Fe Thrift & Loan, 305283 (FHB)
 18. Questek, Inc., 383890 (GH)
 19. John A. Roush, 379583 (KHO)
 20. Fosber America, Inc., 398880 (OH)

There are no items for the following matters:

- G6 Special Taxes Matters
- G7 Special Taxes Matters, Credits Cancellations and Refunds
- G8 Property Tax Matters
- G9 Cigarette License Fee Matters
- G10 Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory

There are no items for this matter.

I. Tax Program Nonappearance Matters

There are no items for the following matters:

- I1 Property Taxes Matters
- I2 Offers-in-Compromise Recommendations

BOARD MEETING RECONVENES AT 1:30 P.M.***ORAL HEARINGS****B. Corporate Franchise and Personal Income Tax Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B11a. Yolanda King Family Trust, 357825

B11b. Mary L. Tunney Junior Trust, 357829

For Appellant: Jon A. Sperring, Representative
Ben Muilenburg, Representative
Joseph Denara, Representative

For Franchise Tax Board: John Penfield, Tax Counsel

B12. Paul L. Mickelsen and Patricia A. Mickelsen, 343108

For Appellant: Charles P. Rettig, Representative
Sharyn M. Fisk, Representative

For Franchise Tax Board: Jozel Brunett, Tax Counsel

B13. Karen J. Hodsdon, 383402

For Appellant: Karen J. Hodsdon, Taxpayer

For Franchise Tax Board: Diane Ewing, Tax Counsel

B14. Mark Morgan, 378779

For Appellant: Mark Morgan, Taxpayer

For Franchise Tax Board: Kenneth Davis, Tax Counsel

B15. Victor Roy, 307162, 341901

For Appellant: Victor Roy, Taxpayer

For Franchise Tax Board: Jozel Brunett, Tax Counsel

B16. Jimmy Lui, 374768, 378419, 383325

For Appellant: Jimmy Lui, Taxpayer
Jim Mattatall, Representative

For Franchise Tax Board: Ken Davis, Tax Counsel

B17. Patrick E. Galvin, 377389

For Appellant: Peymon Mottahedeh, Representative

For Franchise Tax Board: Jane Perez, Tax Counsel

C. Sales and Use Tax Appeals Hearings

These items are scheduled for Wednesday and Thursday, October 3-4, 2007.

D. Special Taxes Appeals Hearings

These items are scheduled for Wednesday and Thursday, October 3-4, 2007.

E. Property Tax Appeals Hearings

There are no items for this matter.

CHIEF COUNSEL MATTERS

There are no items for the following matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

ADMINISTRATIVE SESSION

There are no items for the following matters:

- N. Consent Agenda
- O. Approval of Board Committee Meeting Minutes
- P. Other Administrative Matters

ANNOUNCEMENT OF CLOSED SESSION..... Mr. Evans

Q. Closed Session

Q1. Discussion and action on personnel matters (Gov. Code § 11126(a))

ANNOUNCEMENT OF OPEN SESSION Mr. Evans

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Gary Evans, Acting Chief
Board Proceedings Division

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- + Material is available for this Item.
- "CF" Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



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BOARD MEETING

ORAL HEARINGS

A. Homeowner and Renter Property Tax Assistance Hearings

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B. Corporate Franchise and Personal Income Tax Hearings

These items are scheduled for Tuesday, October 2, 2007.

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

C1. General Petroleum, Corporation, fka, G.P. Resources, Inc., 262777 (AA)

For Claimant: Appearance Waived

For Department: Robert Tucker, Tax Counsel

- C2. Frederick Joe Miller, 266145 (EA)
For Claimant: James Demetriou, Enrolled Agent
Thomas Nitt, Attorney
For Department: Trecia Nienow, Tax Counsel
- C3. Rodney Benn Productions, Inc., 294607 (UT)
For Petitioner: Rodney Benn, Taxpayer
For Department: Carla Caruso, Tax Counsel
- C4. Alex K. Soliman, Inc., 297064, 317007 (EH)
For Petitioner: Alex K. Soliman, Taxpayer
For Department: Cary Huxsoll, Tax Counsel
- C5. Troy A. Richardson, 346909 (FH)
For Petitioner: Troy A. Richardson, Taxpayer
For Department: Christine Bisauta, Tax Counsel
- C6. Rishi, Inc., 287281 (AA)
For Petitioner: Rakhee Vaswani, Taxpayer
For Department: Kevin Hanks, Hearing Representative
- C7. Sandy Ann Oneal Kane, 308481 (GH)
For Petitioner: Sandy Oneal, Taxpayer
For Department: Robert Stipe, Tax Counsel
- C8. Digby Industries, Inc., 239664 (EH)
For Petitioner: Shaun Hanson, Attorney
Jeff Digby, Taxpayer
For Department: Robert Stipe, Tax Counsel
- C9a. Manouch Lankarani, 252973 (EH)
C9b. Mountain Magic Motors, Inc., 252972, 359519 (EH)
DEFERRED

BOARD MEETING RECONVENES AT 1:30 P.M.*

ORAL HEARINGS

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626)

- C10. Center for Bio-Ethical Reform, 271792 (UT)
For Petitioner: Gregg Cunningham, Taxpayer
Don Cooper, Representative
John Stewart, Representative
For Department: Carla Caruso, Tax Counsel

- C11. Wimatex, Inc., 299479, 401103 (AA)
For Petitioner: Alan I. Kaplan, Attorney
Michael Khim, CPA
Mario Lim, Representative
For Department: Trecia Nienow, Tax Counsel
- C12. Jose Efrain Medinilla, 252958 (AP)
For Petitioner: Jose Medinilla, Taxpayer
For Department: Robert Tucker, Tax Counsel
- C13. Jun Ja Hwang, 259556 (AS)
For Petitioner: James J. Pak, Attorney
Sam Pak, Enrolled Agent
For Department: Kevin Hanks, Hearing Representative
- C14. Hair Touch, 281210 (AC)
For Petitioner: Appearance Waived
For Department: Kevin Hanks, Hearing Representative
- C15. Ron Sanchez, 283578 (EH)
For Petitioner: Ron Sanchez, Taxpayer
Amy Poirier, Witness
For Department: Christine Bisauta, Tax Counsel
- C16. Shoreline Helicopters, LLC, 297719 (UT)
For Petitioner: Brett Whitaker, Taxpayer
For Department: Carla Caruso, Tax Counsel
- C17. Laurencio Gutierrez, Sergio Gutierrez, and Ruben Gutierrez Alvarez, 312859 (FH)
For Petitioner: Laurencio Gutierrez, Taxpayer
For Department: Cary Huxsoll, Tax Counsel
- C18a. Gary R. Wickel, 288134 (FH)
C18b. John Peter Wickel, Jr., 286273 (FH)
For Petitioner: Gary R. Wickel, Taxpayer
John Peter Wickel, Jr., Taxpayer
For Department: Christine Bisauta, Tax Counsel
- C19. Michael Henry Gryn, 249777 (AA)
For Petitioner: Michael Henry Gryn, Taxpayer
David Park, Accountant
For Department: Carla Caruso, Tax Counsel

D. Special Taxes Appeals Hearings

These items are scheduled for Thursday, October 4, 2007.

E. Property Tax Appeals Hearings
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ORAL HEARINGS

- A. Homeowner and Renter Property Tax Assistance Hearings**
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- B. Corporate Franchise and Personal Income Tax Hearings**
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- C. Sales and Use Tax Appeals Hearings**
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)
 - C20. Maranello Investments, LLC, 218340 (UT)
 - For Petitioner: Dennis Sarna, CPA
David Weil, Attorney
 - For Department: Robert Tucker, Tax Counsel

- C21. O.P. Shuman and Sons, Inc., 315317 (OH)
For Petitioner: John H. Carmichael, Attorney
William Schuman, Representative
For Department: Trecia Nienow, Tax Counsel
- C22. Mostafa Vakilian, 254076 (EA)
POSTPONED
- C23a. Russell Edward Walker, 252965 (EH)
C23b. Michael La-Rue Dias, 252967 (EH)
For Petitioner: Bradley Kirk, Attorney
For Department: Cary Huxsoll, Tax Counsel
- C24. Los Angeles PartyWorks, Inc., 144839 (AP)
For Petitioner: Eric Elkaim, Taxpayer
Jim Fier, Representative
For Department: Robert Tucker, Tax Counsel
- C25. Finn Moller, 288211 (AS)
For Petitioner: David W. Tredway, Attorney
Finn Moller, Taxpayer
For Department: Robert Stipe, Tax Counsel
- C26a. ABC NJ, Inc., 295979 (EH)
C26b. Bosch Auto Center, Inc., 295978 (EH)
For Petitioner: Juan Guzman, CPA
Carlos Bosch, Taxpayer
For Department: Cary Huxsoll, Tax Counsel
- C27a. Ameritrans, Inc., 315414, 315417 (KH)
C27b. Ameriwest, Inc., 281204, 315418 (KH)
DEFERRED
- C28. ~~Tram Anh Thi Duong, 249652 (EA)~~
~~For Petitioner: Thomas H. Wolfson, Attorney~~
~~Tram Anh Thi Duong, Taxpayer~~
~~For Department: Kevin Hanks, Hearing Representative~~

BOARD MEETING RECONVENES AT 1:30 P.M.***ORAL HEARINGS****C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626)

C29a. Denton Vacuum, Inc., 145713 (OH)

C29b. Denton Vacuum, LLC, 267792 (OH)

DEFERRED

D. Special Taxes Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

Revocation Appeal Hearing

D1. Ghassan Elmalih, 330138 (ET)

For Petitioner: Nolan F. King, Attorney
Ghassan Elmalih, Taxpayer

For Department: Monica Brisbane, Tax Counsel

Special Taxes Appeals Hearings

D2. Tri Van Vo, 211895 (ET)

For Petitioner: John L. Norman, Attorney

For Department: John Waid, Tax Counsel

D3. Onnik Mooradian and Mariette Mooradian, 220157, 220158, 292978,
293031 (MT)

For Petitioner: Marty Dakessian, Attorney
Shiraz Simonian, Attorney

For Department: Onnik Mooradian, Taxpayer
Robert Tucker, Tax Counsel

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