

## Jeffrey S. Reed

### Partner

The Grace Building  
1114 Avenue of the Americas , New York , NY USA 10036  
t 212.775.8792 | f 212.898.1174  
jsreed@kilpatricktownsend.com

### Services

State & Local Tax Transactions  
State Tax Controversy  
State Tax Credits & Incentives  
Tax  
Unclaimed Property



Jeffrey S. Reed is the Chair of the State and Local Tax Practice. A former litigator for the Massachusetts Department of Revenue, Mr. Reed has represented clients in state tax controversy matters in over thirty states and has obtained favorable letter rulings for clients in several different jurisdictions. He regularly advises on the constitutionality of state tax positions, the availability of exemptions and incentives, and how to source revenue streams for state corporate income tax and sales tax purposes. He has handled New York qui tam (whistleblower) lawsuit litigation and received widespread acclaim for arguing and winning the closely-watched *IT USA, Inc.* case before the New York Tax Appeals Tribunal.

Besides state tax, Mr. Reed also devotes a significant part of his practice to unclaimed property. His unclaimed property experience includes representing holders in large multistate audits conducted by contingency fee audit firms as well as single-state audits of holders. He has experience with general ledger audits and audits of specific property types (for example, securities). He also provides unclaimed property guidance on issues including developing unclaimed property policies and procedures to mitigate audit risk, determining whether certain property is subject to reporting, and he negotiates voluntary disclosure agreements on behalf of clients.

In the federal tax area, Mr. Reed has favorably resolved IRS audits and has successfully represented taxpayers in appeals conferences before the IRS Office of Appeals.

Mr. Reed has written nearly thirty articles on state tax related issues and is the author of “The Reed Report,” a State Tax Notes column. He also writes a “Shop Talk” column for the *Journal of Multistate Taxation and Incentives*. He is the former Editor In Chief of the *State and Local Tax Lawyer* and is on the State and Local Tax Executive Committees for both the American Bar Association and the New York City Bar Association. His articles have been published in *BNA Tax Management’s Multistate Tax Report, Corporate Counsel, Inside New*



*York Taxes, Private Wealth, the Journal of Taxation and Regulation of Financial Institutions, E-Commerce Times, and Legal Times.*

A regular lecturer on state and local tax matters, Mr. Reed has spoken before organizations such as BNA CITE, Bloomberg BNA, the Broadband Tax Institute, the Council on State Taxation (COST), the Tax Executives Institute (TEI), the Institute for Professionals in Taxation, Lorman Educational Seminars, and New York University's Summer Institute in State and Local Taxation. He is a member of the New York University and Cornell University State and Local Tax lunch groups.

Mr. Reed began his state and local tax career at the Massachusetts Department of Revenue, where he litigated cases before the Appellate Tax Board and negotiated settlements with taxpayers. Prior to joining the firm, he worked for the state tax group of a prominent international law firm.

While attending college, Mr. Reed studied abroad for a year at Oxford University in Oxford, England.

Mr. Reed was recognized in 2017, 2018 and 2019 as a New York "Rising Star" for Tax Law by *Super Lawyers* magazine.

## **Experience**

Obtained a favorable New York advisory opinion concluding taxpayer's service is not subject to New York sales tax.

Represented taxpayer in several state audits stemming from the sale and liquidation of a business line.

Reviewed agreements for clients considering state tax credits and incentives.

Developed winning New Mexico Gross Receipts Tax audit position for service provider.

Advised taxpayer on the extent to which online services are subject to sales tax in various states.

Represented an online service company in a state audit asserting that the client's service was subject to sales tax.

Resolved numerous significant New York corporate income tax and bank tax audits.

Represented taxpayer in Massachusetts research credit audit.

Argued and won the *IT USA, Inc.* case before the New York Tax Appeals Tribunal, resulting in complete



cancellation of the assessment.

Assisted company relocating its headquarters in obtaining the best incentives package between several competing states.

Obtained a highly-favorable settlement for a luxury goods retailer in a New York sales tax case.

Obtained complete concession by New Hampshire for a proposed business profits tax assessment for an energy company.

Obtained voluntary disclosure agreements for several companies through the Multistate Tax Commission's National Nexus Program.

Handled several qui tam whistleblower cases with the New York Attorney General's Office.

Represented taxpayer in a Multistate Tax Commission audit, resolving several individual state tax assessments.

Represented buyer of transferable film credits and made revisions to purchase agreement.

Obtained a favorable Virginia income apportionment ruling for a financial institution.

Analyzed whether company was engaged in "manufacturing" for purposes of claiming state tax incentives.

Advised taxpayers on sales tax issues relating to purchases of aircraft, artwork, and other valuable assets.

Advised taxpayer on state withholding for deferred compensation and stock option payments.

Assisted in determining District of Columbia Qualified High Technology Company benefits eligibility.

Represented a business taxpayer and favorably resolved an Illinois unitary/non-unitary case.

Advised on the structuring of a partnership agreement between a sponsor and recipients of California solar energy credits.

Represented a financial institution in multi-state audits involving proposed assessment of additional corporate income tax based on an "economic nexus" theory.

Performed a nexus review for a technology company and obtained voluntary disclosure agreements in various



states.

Drafted agreement for seller to transfer Brownfield Redevelopments credits.

Favorably resolved numerous state residency audits involving both domicile and statutory residency.

### **Education**

Boston University School of Law, J.D.

New York University School of Law, LL.M.

Kenyon College, B.A.

### **Admissions**

New York

Massachusetts

### **Professional & Community Activities**

American Bar Association, SALT Publications Subcommittee, Chair

American Bar Association, State and Local Tax Section, Executive Committee, Member

American Bar Association, Unclaimed Property Subcommittee, Member of the Project to Revised the Uniform Unclaimed Property Act

New York City Bar Association, State and Local Tax Section, Executive Committee Member

### **Insights**

#### [Perspectives](#)

5 Key Takeaways | State Tax Apportionment

March 30, 2020

#### [Alerts](#)

New York's "Pause" Order: Tax Aspects

March 23, 2020

#### [Alerts](#)

COVID-19's Impact on State and Local Taxes

March 17, 2020



### [Publications](#)

Five SALT Controversy Areas for the 2020s

February 10, 2020

### [In The News](#)

Jeff Reed Quoted in *Governing* Article re: Florida Taxes

December 12, 2019

### [Publications](#)

Treasury's Proposed Cloud Computing Regulations: From a State Sales Tax Lens

November 4, 2019

### [News Releases](#)

Record Number of Kilpatrick Townsend Attorneys Named 2019 New York Metro Super Lawyers

November 1, 2019

### [Perspectives](#)

KT Client Success | Kilpatrick Townsend Represents Wealth Management Firm from Birth to \$750 Million Exit

July 18, 2019

### [Alerts](#)

Kaestner Trust: Three Key Takeaways

June 27, 2019

### [In The News](#)

NH Legislators Sign Off On Bill Resisting Remote Sales Tax

June 17, 2019

### [Webinars](#)

Sales Tax Issues for Retailers

April 18, 2019

### [In The News](#)

Jeffrey Reed Named to Law360's Tax Editorial Advisory Board

April 10, 2019



### [Webinars](#)

Nexus Limitations and Protections for Service Providers Post-Wayfair

February 19, 2019

### [In The News](#)

'Hyatt 3' Oral Argument And Potential State Tax Implications

January 17, 2019

### [Alerts](#)

Georgia's New Economic Nexus Sales Tax Law - What You Need to Know

January 10, 2019

### [Publications](#)

Corporate Income and Franchise Taxes in Georgia

December 18, 2018

### [Perspectives](#)

5 Key Takeaways | U.S. Sales and Use Tax: Where are we after South Dakota v. Wayfair?

December 7, 2018

### [News Releases](#)

Kilpatrick Townsend Elects 15 New Partners

December 3, 2018

### [Events](#)

Tax Dispute Resolution Litigation Summit

November 29, 2018

### [Publications](#)

Non-Traditional State Tax Litigation: A Look at Four Pending Cases

November 8, 2018

### [In The News](#)

Car Fees Alone Can't Pave Road To Full Infrastructure Funds

October 10, 2018



### [News Releases](#)

Twenty Kilpatrick Townsend Attorneys Named 2018 New York Super Lawyers

September 28, 2018

### [Perspectives](#)

5 Key Takeaways | State Corporate Income Apportionment: Key Fundamentals & Legislative Trends

August 20, 2018

### [Webinars](#)

State Corporate Income Apportionment: Key Fundamentals and Legislative Trends

August 9, 2018

### [Publications](#)

A Range Of State Responses After Wayfair

July 25, 2018

### [Publications](#)

Potential IRS Challenges to SALT Deduction Limitation Workarounds

July 13, 2018

### [Alerts](#)

South Dakota v. Wayfair: Three Open Issues

June 22, 2018

### [Publications](#)

State Tax Impact of the Transition Tax and GILTI

June 1, 2018

### [Perspectives](#)

5 Key Takeaways: South Dakota v. Wayfair: The United States Supreme Court Reconsiders Sales/Use Tax Nexus

May 3, 2018

### [Publications](#)

Looking Back at the Quill Oral Argument in Light of Wayfair

April 2, 2018



### [Perspectives](#)

Kilpatrick Townsend Closes \$207 Million Acquisition for AT&T

March 19, 2018

### [Publications](#)

South Dakota v. Wayfair: A Look at the Cert Petition

February 1, 2018

### [Publications](#)

New York Corporate Tax Reform

November 1, 2017

### [Publications](#)

Tangible Personal Property Goes Digital

October 1, 2017

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 New York Super Lawyers

September 27, 2017

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 New York Super Lawyers

September 27, 2017

### [Publications](#)

New York's Tax Whistleblower Law: The Current State of Play

July 1, 2017

### [Publications](#)

Lessons from Two Recent Taxpayer Victories in Sales Factor Cases

April 1, 2017

### [Events](#)

General Overview/Update of the Proposed IRC Section 385 Regulations and State Tax Implications

October 13, 2016





### Events

Mandatory Unitary Combined Reporting: Navigating Conflicting and Evolving State Rules

September 29, 2016

### In The News

Kilpatrick Townsend's Media Report August 12-18, 2016

August 19, 2016

### In The News

Kilpatrick Townsend's Jeff Reed Quoted by Tax Notes re: "Wal-Mart's Planned E-Commerce Expansion Could Have Unintended Consequences"

August 15, 2016

### Events

Internet and Interstate Commerce Economic Nexus, Tax Executives Institute, Inc. Dallas / Fort Worth Tax School

April 20, 2016

### In The News

Kilpatrick Townsend's Media Report March 24 - April 14, 2016

April 15, 2016

### News Releases

Kilpatrick Townsends Jeff Reed Featured Speaker at the Dallas Chapter of the Tax Executives Institute 2016 State Tax School

April 13, 2016

### Alerts

Expanded Earnings Stripping Proposed Rules Will Impact Typical Debt Push Downs

April 6, 2016

### Alerts

Unusual Fact Situation? Tennessee Supreme Court Upholds Imposition of Alternative Apportionment in Vodafone v. Roberts

March 31, 2016

### News Releases



Kilpatrick Townsend Expands Domestic & International Tax Team in New York  
March 2, 2016

[Publications](#)

Reporting (and Non-Reporting) of Federal Change  
November 17, 2015

[Publications](#)

New York Sales Taxation of Electronic Commerce: Recent Developments  
August 17, 2015

[Publications](#)

Taxing the Invisible: Applying State Tax Concepts to Nonoperating Entities  
July 20, 2015

[Publications](#)

New York Provides Guidance on Cloud Computing Infrastructure as a Service  
May 15, 2015