



## Equine Attorneys

### DAVID D. AUGHTRY

David's practice focuses on civil and criminal tax litigation. He graduated from The Citadel in 1975 with a B.A. in English, from the University of South Carolina in 1978 with a Masters in Accounting and a law degree, and from Emory University in 1982 with a Masters (LL.M.) in Taxation. Upon graduation from the University of South Carolina Law School, David joined the Internal Revenue Service as a Trial Attorney, Office of the Chief Counsel, where he also served as a Tax Shelter Coordinator. David Aughtry has tried (and/or argued on appeal) over 70 cases and successfully argued *Hubert v. Commissioner* before the Tax Court, the Eleventh Circuit, and the Supreme Court. Within the last year, David won *Topping v. Commissioner*, (the first successful case recognizing horses as a deductible business development tool), *Vines v. Commissioner* (\$13 million case in which the Tax Court held the IRS improperly denied the taxpayer 9100 Relief), and *Caracci v. Commissioner* (another case of first impression in which the Fifth Circuit reversed the Tax Court and rejected the last of \$389 million in intermediate sanctions, taxes, and interest). *Topping* reaches the opposite result as *Boddy v. Commissioner* (Arabian horse hobby loss) that David won when he was trying cases for the government.

### DANIEL D. PIPITONE

Daniel D. Pipitone began his law practice by completing a two-year Federal Judicial Clerkship in Philadelphia, Pennsylvania. He then began the private practice of law in Corpus Christi and South Texas and later, in Houston. Over the course of 28 years, he has tried many cases to jury as well as to a court throughout Texas and in Georgia, Louisiana and Mississippi. Mr. Pipitone's sole focus is upon the litigation and trial of various matters involving laws governing admiralty/maritime, equine law, commercial and product liability disputes. Philosophically, he believes the most favorable resolution for a client is one that is eventually achieved by first proceeding proactively, aggressively and efficiently. Dan Pipitone's representative experience includes 75 cases successfully tried to verdict in both Federal and State jurisdictions. He also successfully litigated on behalf of a Houston-based Thoroughbred owner a breach of fiduciary duty and fraud matter against bloodstock agents, a trainer and several consignors.

## **PAM POWERS**

With years of experience in general corporate, partnership, and individual tax practice, Pam Powers translates her expertise into business success for horse racing clients. Pam's unique talents lie in planning, structuring, and implementing both asset and stock mergers and acquisitions for financial institutions, companies with both domestic and foreign operations, health care entities, companies involved in the communications industry (in the form of newspapers and radio stations), and industrial services companies. Pam has worked closely with corporate attorneys drafting tax disclosure sections for private offerings and in drafting transactional opinions. For Equine law clients, Pam's experience in tax controversy practice representing both corporations and individuals before the IRS results in improving a business's bottom line and avoidance of excessive taxes. Pam's past experience includes planning the restructuring of a billion-dollar company's domestic and foreign operations, drafting tax opinions for various transactions, including asset securitizations, master limited partnerships, and hedging transactions, working on tax-exempt bond financings, and obtaining private letter rulings from the National Office of the Internal Revenue Service.

## **HANK STOUT**

As a member of the Firm's litigation section, Hank Stout's practice focuses entirely on the successful resolution of litigation matters. With a pragmatic and proactive approach to litigation, Mr. Stout has successfully litigated cases involving equine law, personal injury, wrongful death, commercial litigation and other contractual disputes. Mr. Stout's recent representative experience includes successfully litigating a complex fraud and breach of fiduciary case on behalf of "Mattress Mack," a local Houston businessman, against former horse trainer Bob Baffert and bloodstock agents, the McKathan Brothers as well as other horse consignors. Mr. Stout has successfully defended numerous Jones Act, general maritime law, unseaworthiness and LHWCA claims on behalf of offshore drilling contractors, towboat companies, offshore construction companies and exploration and production companies.