



**To: Julie Magee, Commission Chair
Members of the Commission**

**From: Marshall Stranburg, Litigation Committee Chair
Clark Snelson, Litigation Committee Vice-Chair
Mark Wainwright, Litigation Committee Vice-Chair**

Re: Litigation Committee Report for First Quarter of Fiscal Year 2014

Date: December 3, 2013

Litigation Committee

The Litigation Committee met during the Commission's July 2013 annual meeting in San Diego, California. The meeting was chaired by Mark Wainwright, and the agenda included (1) a congressional update from Roxanne Bland, MTC Counsel, (2) a U.S. Supreme Court update from Lila Disque, MTC Counsel, and (3) a report on 4R Act litigation claiming discriminatory sales taxes on diesel fuel purchased by railroads in *CSX Transportation, Inc. v. Alabama D.O.R.*, No. 2:08-cv-00655 (11th. Cir., 7/2/13) from Kelley Gillikin, Esq. and Craig Banks, Esq. of the Alabama Dept. of Revenue. The meeting was adjourned following these presentations so that members could attend the information and training session for state tax attorneys, where attendees heard presentations on state litigation of multistate interest. Attendance was up again at this meeting, in keeping with a recent trend. The Committee's next meeting is scheduled for March 13-14 in Denver, Colorado.

Paul Mines Award

Shirley Sicilian, General Counsel to the Commission, was presented with the sixth annual Paul Mines Award for outstanding contribution to state tax jurisprudence. The presentation was made during the Commission's annual meeting in July, 2013.