# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Adam Steele, Brittany Montrois, and	
Joseph Henchman, on behalf of	)
themselves and all others similarly	)
situated,	)
Plaintiffs,	)
v.	) Civil Action No.: 1:14-cv-01523-RCL
United States of America,  Defendant.	) )
	_)

## **JOINT STATUS REPORT**

On January 24, 2023, this Court remanded this matter to the IRS to determine an appropriate refund for the class. (ECF 222 ("Order")). The Order also required the parties to file a joint status report every 30 days informing the Court of the "IRS's work on remand until such time as that work is complete." *Id.* The parties submit this joint status report as required by the Order.

#### **United States:**

The United States reports as follows: during the past 30 days, counsel for the United States and the IRS continued to work on developing the methodology and process for calculating a refund for the class in accordance with the Court's order and held regular meetings with the IRS regarding the IRS's work on remand. The IRS continues to work on costs associated with the various Return Preparer Office components, and the pro rata calculation of the vendor fee as reported in the May Status Report. In addition, the IRS is currently working on its biennial review for 2023 in concert with calculating

adjustments to the prior biennial reviews, requiring careful review to ensure consistency in the cost models and compliance with the Court's order.

At this time, none of the calculations are final and no calculations will be approved until the determination of the final fee. Although a final calculation has not been determined, the IRS has made progress over the last 30 days towards resolution for the purposes of its work on remand. Nothing reported in this Status Report shall be deemed an admission of any kind or waiver of any appeal right.

## Position of Plaintiffs' Co-Counsel Allen Buckley:

Except for ghost preparer costs and foreign preparer identification costs (which are under consideration by the Court), Plaintiffs' co-counsel Allen Buckley (a CPA) has prepared a reasonable estimate of the costs of issuing and renewing PTINs (and maintaining a PTINs database) in a manner believed (by Allen Buckley) to be in accordance with the costs terms of the Court's order dated January 24, 2023, for IRS fiscal years ended in 2011, 2012, 2013, 2014, 2015, 2016 and 2017 (i.e., the years for which the IRS was directed to calculate PTIN related costs).

Dated: June 22, 2023

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Respectfully submitted,

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# **CERTIFICATE OF SERVICE**

I hereby certify that on June 22, 2023, I electronically filed the Joint Status Report in the CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Stephanie A. Sasarak
STEPHANIE A. SASARAK
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