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.

<u>United States:</u> The United States reports as follows: During the past 30 days, counsel for the United States and the IRS have held several meetings to resolve the few outstanding issues to calculate the appropriate refund for the vendor portion of the PTIN user fee. Last month the United States reported that it was still resolving a few minor details related to the vendor portion. Those issues are resolved and a package containing the vendor portion refund recommendation will be submitted to the appropriate IRS officials for approval. In prior status reports, the IRS reported that it

had approved the IRS portion of the PTIN user fee. 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. As stated in numerous past months' filings, 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 through 2017. Defendant has informed Plaintiffs the IRS is working to have a "final number by the next report if no new issues arise (and if there is no lapse in appropriations)." Plaintiffs do not see how any new issues could arise. Plaintiffs will take Defendant at its word.

(Signature blocks on the following pages.)

Dated: October 23, 2023

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<u>/s/ Emily K. Miller</u> EMILY K. MILLER STEPHANIE A. SASARAK BENTON T. MORTON JOSEPH E. HUNSADER Trial Attorneys, Tax Division **JOSEPH A. SERGI** Senior Litigation Counsel U.S. Department of Justice, Tax Division Post Office Box 227, Ben Franklin Station Washington, DC 20044 Telephone: (202) 307-2250 Facsimile: (202) 514-6866 Joseph.A.Sergi@usdoj.gov Joseph.E.Hunsader@usdoj.gov Stephanie.A.Sasarak@usdoj.gov Emily.K.Miller@usdoj.gov Benton.T.Morton@usdoj.gov Attorneys for Defendant United States of America

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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 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/ Emily K. Miller

EMILY K. MILLER Trial Attorney, Tax Division U.S. Department of Justice