



## Jeffrey D. Davine

Partner, through his Professional Corporation

2049 Century Park East  
18th Floor  
Los Angeles, CA 90067

t (310) 312-3178  
f (310) 312-3178  
jdd@msk.com

### legal expertise

Jeff specializes in taxation, with an emphasis on tax controversy with the IRS, California Franchise Tax Board, California Employment Development Department, and other state and local taxing authorities. Representation of non-profit entities and charitable gift planning.

### representative matters

- Successfully represented numerous clients in disputes with the IRS and California Employment Development Department concerning the classification of workers as employees versus independent contractors.
- Successfully represented a well-known motion picture director in a dispute with the IRS and California Franchise Tax Board.
- Assisted in the IRS examination of a well-known international company in the entertainment and toy manufacturing business.
- As an attorney for the IRS, served as lead counsel on numerous examinations and Tax Court cases against well-known business people, entertainers, and athletes.

### honors & awards

- Recognized by *Best Lawyers in America*® in Trusts and Estates (2018-2026)
- "Top 5% of lawyers in Southern California," *Southern California Super Lawyers* (2004-2006, 2009-2018)
- AV® Preeminent™ Rating, Martindale-Hubbell

### practice areas

tax and trusts & estates  
nonprofit organizations  
tax planning  
trusts & estates  
specialties

### admissions

California, 1985  
U.S. District Court, 1985  
U.S. Tax Court, 1991

### education

University of California Los Angeles School of Law, J.D., 1985  
Moot Court Honors Program  
University of California, Berkeley, B.S., 1982; *Phi Beta Kappa*; *Beta Alpha Psi* (Accounting Honor Society)  
Kraft Scholarship

### other career experience

- Former Special Assistant U.S. Attorney for the IRS (1991-1995)
- Specialist in two IRS Market Segment Specialization Programs: entertainers/athletes and gasoline retailers

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los angeles  
t 310.312.2000  
f 310.312.3100

new york  
t 212.509.3900  
f 212.509.7239

washington, dc  
t 202.355.7900  
f 202.355.7899



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## professional, business and civic affiliations

- Editor, *MSK Charitable Sector Letter*
- Chairman, Los Angeles County Bar Association, Taxation Section, Entertainment Tax Committee
- Taxpayer Advocacy Panel (TAP), a Federal Advisory Committee to the Internal Revenue Service
- Former Chairman, Los Angeles County Bar Association Young Tax Lawyers (1993-1994)

## headlines

37 MSK Attorneys Named Among *The Best Lawyers in America*® for 2026  
*Best Lawyers*, August 21, 2025

34 MSK Attorneys Named Among *The Best Lawyers in America*© for 2025  
August 15, 2024

38 MSK Attorneys Named Among *The Best Lawyers in America*© for 2024  
August 17, 2023

26 MSK Attorneys Named Among *The Best Lawyers in America*© for 2022  
August 19, 2021

33 MSK Attorneys Named Among *The Best Lawyers in America*© for 2021  
August 20, 2020

27 MSK Attorneys Named Among *The Best Lawyers in America*© for 2020  
August 15, 2019

MSK Client Inpixon Closes Oversubscribed Rights Offering with Gross Proceeds of \$12M  
January 16, 2019

*The Best Lawyers in America*© 2019 Recognizes 24 Attorneys from MSK  
August 15, 2018

The Best Lawyers in America© 2018 Recognizes 24 Attorneys from Mitchell Silberberg & Knupp LLP  
August 15, 2017

MSK Attorneys Named to the 2017 List of *Super Lawyers*  
January 20, 2017

MSK Launches Its New Trusts & Estates Blog  
May 27, 2014



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Legal 500 Ranks MSK Tax Practice and Attorneys Among the Very Best  
July 6, 2010

MSK Helps Launch Video Blog BoingBoingTV  
November 12, 2007

Success in Pro Bono Nature Conservancy Case  
March 20, 2007

## media mentions

Jeffrey Davine Quoted in *Law360*  
January 2, 2020

MSK Attorneys Named to the List of 2016 Southern California Super Lawyers  
January 20, 2016

Mitchell Silberberg & Knupp Recognized as Leading Law Firm by The Legal 500 2015 USA Guide!  
July 2015

18 Mitchell Silberberg & Knupp Attorneys Named to the 2015 Super Lawyers Business Edition  
November 21, 2014

Jeffrey Davine Quoted in *Law360*  
July 23, 2014

The Legal 500 United States 2014 Edition  
June 2014

Jeffrey Davine Quoted in *Law360*  
May 2, 2014

26 MSK Attorneys Named to 2014 Southern California *Super Lawyers* List  
January 2014

Jeffrey Davine Quoted in *Human Resource Executive Online*  
January 8, 2014

26 MSK Attorneys Named to 2013 Southern California *Super Lawyers* List  
January 2013

Davine Opines About Tax Controversies Involving the Suddenly Rich and Famous in *TaxAnalysts*  
August 28, 2012

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MSK Ranked Among Leading Tax Law Firms in *Tax Directors Handbook 2012*  
January 26, 2012

25 Named to 2012 Southern California *Super Lawyers* List  
January 23, 2012

*The 2011 Legal 500 USA Guide* Recognizes MSK Attorneys and Intellectual Property and Tax Practice Groups  
Among the Nation's Best  
June 9, 2011

24 Named to 2011 Southern California *Super Lawyers* List  
January 25, 2011

Jeffrey Davine Selected for Taxpayer Advocacy Panel (TAP) for 2011-2013  
November 23, 2010

28 Named to 2010 Southern California *Super Lawyers* List  
January 26, 2010

Jeffrey Davine Quoted in *San Francisco Chronicle*  
July 10, 2009

MSK Tax Practice Recommended by The Legal 500 2009  
June 12, 2009

29 Chosen to 2009 Southern California *Super Lawyers* List  
January 30, 2009

MSK Ranked Among the Leading Tax Law Firms in the West  
December 30, 2008

Jeffrey Davine Interviewed by CNN Regarding Madoff  
December 19, 2008

*The Legal 500* Ranks MSK Among "Top Firms" and Partners Among "Leading Lawyers"  
June 17, 2008

## publications

Walking the Fuzzy Line Between Independent Contractor and Employee  
*AccountingToday.com*, July 2011

How to Prepare for an IRS Employment Tax Compliance Audit  
*The Nonprofit Quarterly*, June 7, 2011

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Charitable Giving  
2009

## client alerts

New COVID Relief Legislation Provides Tax Benefit  
*MSK Client Alert*, December 28, 2020

Do CRTs and CLTs Need To Be Registered With the CA Attorney General?  
*MSK Client Alert*, September 3, 2020

COVID-19 Tax Relief  
*MSK Client Alert*, April 17, 2020

Tax Filing Reprieve  
Tax Return Filing and Payment Extensions  
*MSK Client Alert*, March 23, 2020

Have Independent Contractors in California? You May Need to Rethink That.  
*MSK Client Alert*, September 18, 2019

Are you rEDDy for the Audit?  
*MSK Client Alert*, June 5, 2019

Don't Let the IRS Yank Your Passport  
*MSK Client Alert*, March 25, 2019

Delinquent Taxpayers May Need to Rethink Travel Plans  
*MSK Client Alert*, November 19, 2018

Is Everyone Now an Employee in California?  
*MSK Client Alert*, May 7, 2018

#MeToo Can Be #Costly  
*MSK Client Alert*, January 23, 2018

The Tax Cuts and Jobs Act  
December 19, 2017

California State Board of Equalization Guttled  
*MSK Client Alert*, July 5, 2017

Is the Border Tax Crossing the Line?  
*MSK Client Alert*, February 23, 2017



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IRS Confirms - No More Phone Calls (At Least Not Initially)

*MSK Client Alert*, July 18, 2016

IRS Issues Updated Guidance for Vehicle Donations

*MSK Client Alert*, October 10, 2013

Failing to Report Gifts From Overseas Can Result in Large Penalties

*MSK Client Alert*, September 11, 2013

IRS Says "Let's Make a Deal" (Regarding Misclassified Workers)

*MSK Client Alert*, January 9, 2012

Approval of Model Protection of Charitable Assets Act

*MSK Client Alert*, September 19, 2011

IRS Audits Employment Tax Compliance by Nonprofits

*MSK Client Alert*, June 1, 2011

Compliance by Charities With the California Professional Fiduciaries Act

*MSK Client Alert*, July 6, 2010

Heads Up to Employers - New IRS Audit Program Will Focus on Employment Taxes

*MSK Client Alert*, March 29, 2010

Everything You Ever Wanted to Know about "Type 3" Supporting Organizations

*MSK Client Alert*, 2000

Don't Get Taken For A Ride If You Donate Your Car to Charity

*MSK Client Alert*, April 2001

An Overview of the Taxpayer Relief Act of 1997

*MSK Client Alert*, August 2002

Overview of the Taxpayer Relief Act of 1997

*MSK Client Alert*, April 2001

IRS Guidelines for Automobile Donations

*MSK Client Alert*, 2004

Revised Charitable Gift Annuity Rates

*MSK Client Alert*, 2002

Charitable Sector Letter

*MSK Client Alert*, June 2008

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Charitable Sector Letter  
*MSK Client Alert*, December 2007

The 2004 Tax Act: Its Impact on Charitable Giving  
*MSK Client Alert*, August 2005

Fixing a Broken Charitable Remainder Trust  
*MSK Client Alert*, March 2007

## **events & speaking engagements**

2025 Tax Act Income Tax/Charitable Contribution Provisions  
November 13, 2025

Planned Giving & Illiquid Assets: What You Need to Know  
June 5, 2025

MSK's Labor & Employment Department's Annual "Year in Review" Seminar  
January 10, 2024

Charitable Life Income Gifts, Crescendo Practical Planned Giving Conference  
September 2019

Charitable Gift Planning Vehicles, Crescendo Practical Planned Giving Conference  
September 2017

Business Law Practice: 2016 Year in Review  
January 20, 2017

Dealing with the Self-Dealing Rules  
October 18, 2016

Determining Worker Status: Employee vs. Independent Contractor  
January 2015

Determining Worker Status: Employee vs. Independent Contractor  
March 2014

CA Professional Fiduciaries Act  
November 11, 2010

Charitable Giving, Advising California Nonprofit Corporations  
2009



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Overview of Charitable Giving Techniques  
October 2008

Worker Classification - Employee vs. Independent Contractor  
October 28, 2008

Self-Dealing Rules applicable to Private Foundations  
October 2007

Charitable IRA Rollover Rules  
May 2007

Charitable Gifts of Retirement Plan Assets, and Charitable IRA Rollover Rules  
April 2007

Western Regional Planned Giving Conference  
June 2, 2005