

## Charles Kolstad

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### Charles is a partner in the private client, tax and corporate teams.

He focuses his practice on international tax, corporate and partnership matters. He assists clients in tax and corporate planning relating to the acquisition, disposition and restructuring of businesses, corporations and partnerships both domestically and internationally.

Charles primarily focuses his practice on clients in the digital assets and music space. In the Web3, crypto assets and AI space, he advises clients on corporate, regulatory and tax issues related to token offerings, DAOs, foundations, blockchains, including Layer 1 and Layer 2 blockchains, as well as on US securities laws applicable to staking and token offerings, and tax and estate planning issues for founders and investors.

In the music space, he advises DJs, actors and actresses, musicians, songwriters, producers, directors and financiers on a wide range of individual and corporate tax issues specific to the entertainment industry. He has advised on the tax issues for more than 40 catalog sales. Charles has written several articles and given many presentations on entertainment tax issues.

Charles frequently advises foreign individuals moving to the U.S. on pre-immigration, income, gift and estate tax planning opportunities.

He has extensive experience in representing clients during audits by the IRS or the California Franchise Tax Board, as well as in front of the IRS Appeals Office and IRS Collection.

Charles was recognized as a “key lawyer” by The Legal 500 US in 2021 and 2020 in the area of international tax.

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# Talks

- 'Artificial Intelligence "Level Setting" for Attorneys: The Essentials of AI, Responsible Use, and Privacy,' New York County Lawyers Association webinar - October 17, 2024, speaker
- 'Generative AI and the Law,' New York County Lawyers Association webinar - March 27, 2024, speaker
- 'Market and Regulatory Environment Update for Blockchain and Cryptocurrencies,' CFA Society of San Francisco webinar - January 10, 2024, speaker
- 'STEP Crypto Security & Virtual Asset Planning,' STEP Los Angeles Crypto Global Update meeting - September 27, 2023, speaker
- 'Cryptocurrency & the Blockchain Explained: A Panel Discussion with Attorneys: Joseph Bambara, Ridge Barker, Charles Kolstad,' New York County Lawyers Association (NYCLA) Amicus Curiae Podcast - June 10, 2023, speaker
- 'FTX Was a Bump in the Road: Cryptocurrency and Digital Assets are Here to Stay,' New York County Lawyers Association (NYCLA) CLE Webinar - April 19, 2023, speaker
- 'Business Law Essentials - Tax Aspects of M&A Transactions,' ABA Business Law Section Annual Meeting - September 17, 2022, speaker
- 'NFTs: Protection for digital artwork leads to tax and planning complexities,' STEP Los Angeles live webinar - November 11, 2021, speaker
- 'Withers talks: cryptocurrency | Ep 12 - Cryptocurrency and charitable giving,' Withers podcast - June 29, 2021, host
- 'Withers talks: cryptocurrency | Ep 11 - NFTs and digital-only fashion,' Withers podcast - June 9, 2021, host
- 'Withers talks: cryptocurrency | Ep 10 - perspectives on anti-money laundering (AML),' Withers podcast - May 20, 2021, host
- 'Employee v. Independent Contractor - Employment and Tax Issues,' Orange County Bar Association Tax Law Section - May 13, 2021, co-presenter
- 'Withers talks: cryptocurrency | Ep 9 - tax considerations for crypto investors and issuers,' Withers podcast - May 12, 2021, host
- 'Withers talks: cryptocurrency | Ep 8 - Trusts issues with cryptocurrency - a European perspective,' Withers podcast - May 6, 2021, host
- 'Withers talks: cryptocurrency | Ep 7 - Investing in NFTs and crypto assets - practical perspectives from Asia,' Withers podcast - April 29, 2021, host
- 'Withers talks: cryptocurrency | Ep 6 - How NFTs are shaking up the art and music world,' Withers podcast - April 22, 2021, host
- 'Withers talks: cryptocurrency | Ep 5 - The rise of decentralized finance (DeFi),' Withers podcast - April 8, 2021, host
- 'Withers talks: cryptocurrency | Ep 3 - Cryptocurrency issuer considerations & European regulation,' Withers podcast - March 26, 2021, host
- 'Withers talks: cryptocurrency | Ep 4 - Tax considerations for UK crypto investors,' Withers podcast - April 1, 2021, host
- 'Withers talks: cryptocurrency | Ep 2 - What is the future of crypto regulation?,' Withers podcast - March 19, 2021, host
- 'Withers talks: cryptocurrency | Ep 1 - So you are thinking of investing in cryptocurrency,' Withers podcast - March 9, 2021, host
- 'Employee v. Independent Contractor - Tax and Other Issues,' USC Gould School of Law 2021 Virtual Tax Institute - January 25, 2021, co-presenter
- 'Tax and accounting toolbox for recording and touring artists and the attorneys that represent them,' EASL MBLC 2020 Conference: Music Industry 2020 (webinar) - November 6, 2020, presenter
- 'Been in the U.S. and Now Heading Overseas? How Will this Impact Your Estate & Tax Planning?' Los Angeles Inbound Wealth Planning Council webinar - August 20, 2020, co-presenter

- *'Tax and Estate Planning for US Persons with Foreign Assets,'* Los Angeles County Bar Association - August 4, 2020, co-presenter
- *'How to set up a family office for success,'* Withers event, San Diego, CA - February 25, 2020, panelist
- *'Family Office Operations 2020: New Ideas,'* Wealth management firm-hosted event - January 24, 2020, speaker
- *'Intellectual Property & TCJA 2017: What do you do now?'* PrimeGlobal Annual Tax Conference - January 12, 2020, presenter
- *'Family Office Operations 2019: New Ideas,'* Large financial institution event - November 19, 2019, co-presenter
- *'How IP Intersects with Employment, Estate and Bankruptcy Law,'* IP Without Borders: California Lawyers Association 44<sup>th</sup> Annual Intellectual Property Law Section Institute - November 18, 2019, co-presenter
- *'Family Office Operations 2019: New Ideas,'* Large financial institution event - September 25, 2019, co-presenter
- *'Working with the final GILTI regulations,'* STEP Los Angeles, September 10, 2019
- *'Avicii & Non Doms, What Have We Learned,'* December 2018
- *'It's a Mess: What Happens When You Don't Pay Attention When Your Clients Are Cross Borders,'* - June 20, 2018
- *'Section 951A - Global Intangible Low-Taxed Income (GILTI) Webinar,'* - April 24, 2018
- *'Tax Planning for Disregarded Entities: Issues, Risks, and Opportunities Webinar,'* - Spring 2018
- *'Tax Treatment of Pre-2018 Accumulated Earnings Webinar,'* - Winter 2018
- *'Form 3520 Foreign Trust Reporting: Filing Deadlines, Requirements, and Liabilities Webinar,'* - Fall 2017
- *'Form 8865 Reporting of Foreign Partnership Income and Navigating Rules for Allocable Share of Foreign Income Webinar,'* - August 3, 2017
- *'Form 8865 - Reporting of Foreign Partnership Income,'* Webinar - August 3, 2017
- *'International Tax Forms and Reporting Requirements Webinar,'* - Winter 2017
- *'Fundamentals of Foreign Trust Administration Webinar,'* - June 14, 2016
- *'Form 8865: Reporting Foreign Partnership Income and Navigating Rules for Allocable Share of Foreign Income Webinar,'* - December 1, 2015
- *'Corporate Inversions: Liabilities and Expectations,'* Webinar - Spring 2015
- *'State Taxation of Income From Foreign Affiliates,'* Webinar - March 11, 2015
- *'Fundamentals of Foreign Trust Administration,'* Webinar - March 11, 2015
- *'Engaging Accountants and Tax Attorneys in Multiple Jurisdictions,'* - January 21, 2015
- *'International Tax Forms and Reporting Requirements,'* - January 7, 2015
- *'Cross-Border Money Transfers: Key Requirements Every U.S.-Based Nonprofit Needs to Know,'* - November 19, 2014
- *'Fundamentals of Foreign Trust Administration,'* Webinar - November 5, 2014
- *'Form 8865: Reporting Foreign Partnership Income,'* Webinar - September 23, 2014
- *'Cross-Border Money Transfers: Key Requirements and Pitfalls Every U.S.-Based Nonprofit Needs to Know,'* - September 13, 2014
- *'Bitcoin: Legal Fee or Foe?'* - August 21, 2014
- *'Pre-Immigration Tax Planning for Foreign Clients,'* - July 7, 2014
- *'International Information Reporting: CFCs, PFICs, FBARs & Beyond,'* - May 29, 2014
- *'State Taxation of Income From Foreign Affiliates,'* - February 12, 2014
- *'Engaging Accountants and Tax Attorneys in Various Jurisdictions,'* - December 10, 2013
- *'Legal Quick Hit: "Your Nonprofit Has Gone Global: Now What Are Your U.S. and Foreign Tax Compliance and Reporting Obligations?"'* - November 13, 2013
- *'Form 8865 - Foreign Partnership Income,'* Webinar - November 8, 2013

## External publications

- 'Artificial intelligence use cases are trending but there are more questions than answers,' Withers Insight - June 13, 2024, co-authored
- 'The Global Rethinkers: Considerations for crypto and digital assets companies looking to leave the US,' Withers Insight - October 4, 2023, authored
- 'You hold crypto tokens: what should you be doing now?' Withers Insight - July 19, 2023, authored
- 'NFT Guidance Begins to Take Shape,' Accounting Today - May 17, 2023, quoted
- 'Are Cryptocurrencies Securities? 5 Things to Consider,' Withers Insight - March 13, 2023, co-authored
- 'In High Stakes Divorce Battle, Estranged Wife of Indian Software Tycoon Claims He Transferred Ownership Without Telling Her,' Forbes - March 13, 2023, quoted
- 'How Is Crypto Taxed? Your Crypto Tax Guide for 2023,' ThinkAdvisor - December 30, 2022, quoted
- 'The IRS is Coming for Crypto - But it's Complicated,' Axios - December 5, 2022, quoted
- 'Amendments to OECD Cryptoasset Framework Focus on Inclusion,' Tax Notes - October 12, 2022, quoted
- 'Treasury Offers Framework for Regulating Crypto Internationally,' Accounting Today - July 8, 2022, quoted
- 'Crypto-Rich Puzzle Over How to Pass On High-Risk Wealth to Heirs,' Bloomberg News - May 5, 2022, quoted
- 'Crypto Clarification: New Proposals for Gov't Regulation,' Accounting Today - April 26, 2022, quoted
- '2022 - The year of regulation of digital assets,' Withersworldwide - April 11, 2022, co-author
- 'Excessive Tax Has Consequences For Crypto Holders And The Government,' Arweave.News - April 5, 2022, quoted
- 'Think You Know How NFT Taxes Work? Try Getting a Write-Off,' Protocol - March 31, 2022, quoted
- 'Tax season has arrived. Here is what it means for crypto investors who rode the rollercoaster through last year's wild market,' Insider - February 7, 2022, quoted
- 'NFTs: Collectibles or not?,' Withers Insight - September 22, 2021, co-author
- 'Are the DOJ and IRS Backpedaling on Considering Cryptocurrency as Property?,' Accounting Today - September 1, 2021, author
- 'Ramp Up Crypto Reporting Now, Say Tax Pros,' Tax Notes - August 31st, 2021, quoted
- 'Cryptocurrency Impasse Stalls Senate Infrastructure Vote,' Law360 - August 6, 2021, quoted
- 'Withers partner discusses recent developments in US taxation of crypto investors,' Withers Insight - July 6, 2021, quoted
- 'Tax Season: A Learning Experience for All Concerned,' Accounting Today - June 24, 2021, quoted
- 'Biden proposes monitoring foreign crypto investors in the U.S. as part of global push against tax evasion,' Fortune - June 2, 2021, quoted
- 'Biden Targets Crypto Tax Evaders in Global Data-Sharing Pitch,' Bloomberg Law - June 2, 2021, quoted
- 'IRS Crypto Crackdown Poised To Go Global,' Law360 - May 28, 2021, quoted
- 'Post IPO. Post inheritance. What next for the newly wealthy?' Withers Insight - May 7, 2021, co-author
- 'Withers launches crypto podcast to support new blockchain practice,' The Robotics Law Journal - March 19, 2021, quoted
- 'Federal Banks Get OK to Provide Services for Crypto Assets,' Bloomberg Law - August 20, 2020, co-author
- 'Your lenders have called - What should you do now? Insights for US businesses navigating the impact of the coronavirus,' Withers Insight - May 5, 2020, co-author
- 'Coronavirus impact on US international tax compliance,' Withers Insight - March 27, 2020, co-author
- 'IRS enforcement efforts target taxes on cryptocurrency transactions,' Accounting Today, September 9, 2019, co-author
- 'Cryptocurrencies and the IRS: What you need to know,' Withers Insight, August 06, 2019, co-author
- 'Death, disability and divorce - drafting agreements with trusts as parties in light of Han v. Hallberg,' Withers Insight, July 2, 2019

'A Royal Dilemma: Prince Harry and Meghan's Baby Liable for U.S. Taxes.' Wealthmanagement.com, May 8, 2019, quoted

'Withers Adds Trust, Int'l Tax Attys From Mitchell Silberberg.' February 2019, quoted

'Withers Expands LA Practice as 3 Local Attorneys Seek Global Reach.' The Recorder, February 2019, quoted

'Withers' US growth continues with addition of corporate, income tax and estate planning team in California.' Withers Insight, February 14, 2019, quoted

'ICOs and How Much Taxable Income They Generate.' Accounting Today, May 30, 2018

'United States Chapter, Getting the Deal Through Outsourcing.' Law Business Research Ltd, 2014

'Estate and Tax Guidance for Artists and Collectors.' Los Angeles Lawyer, 30th Annual Entertainment Law Issue, May 2014

'Time to Revisit Foreigner Investing in U.S. Real Estate.' Law360, November 22, 2013

'How the Health Care Act Affects the Taxation of Loan-Out Corporations.' Los Angeles Lawyer, 29th Annual Entertainment Law Issue, May 2013

'FATCA and NFFEs.' Economic Daily News (Taiwan), March 13, 2012

'The IRS' Amnesty Program for Foreign Account Holders: What You Need to Know.' The Wrap , August 8, 2011, author

'International Reporting Requirements for CPAs and Their Clients.' Accounting Today, March 24, 2011, author

'IRS Crypto Crackdown Poised To Go Global.' Law360, May 28, 2021, featured

'Comments on the Foreign Account Tax Compliance Act (FATCA).' American Bar Association, February 14, 2011, co-author

'Before You Say Yes and Move Abroad - Six Legal Issues to Consider.' Financier Worldwide - Global Reference Guide: Employment & Human Resources 2010, November 2010

'Tax Issues Associated with Carbon Trading Assets and the Impact of Proposed Legislation.' ABA Carbon Trading and Energy Finance Committee Newsletter, April 2010

'Section 181 Offers Incentives to Curb Runaway Productions.' Los Angeles Lawyer, 25th Annual Entertainment Law Issue, May 2009, co-author

'Unresolved Issues in the Income Forecast Method of Accounting.' Los Angeles Lawyer, 23rd Annual Entertainment Law Issue, May 2007, co-author

## Admissions

New York 1980

California 1992

Connecticut 2023

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## Education

University of Notre Dame, Law School, J.D. 1979

Columbia University, M.B.A., 1978

University of Villanova, B.S., Mathematics, cum laude, 1975

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## Languages

English

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# Memberships

Board of Directors, Temple Emanuel of Beverly Hills

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## Key dates

Year joined: 2019

Year became partner: 2019

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