

Office of Chief Counsel  
Internal Revenue Service  
**Memorandum**

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date: August 06, 2018

to: Thomas M. Rooney  
Revenue Agent

from: Craig Connell  
General Attorney  
(Large Business & International)

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subject:

This memorandum responds to your request for assistance. This advice may not be used or cited as precedent.

ISSUES

Whether the mitigation provisions of I.R.C. § 1311, et seq. apply to permit the assessment of approximately \$                      against                      for the                      taxable year.

CONCLUSIONS

Mitigation does apply once the parties enter into a closing agreement agreeing that a portion of the NOL deduction claimed in                      should be allowed in

FACTS

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