

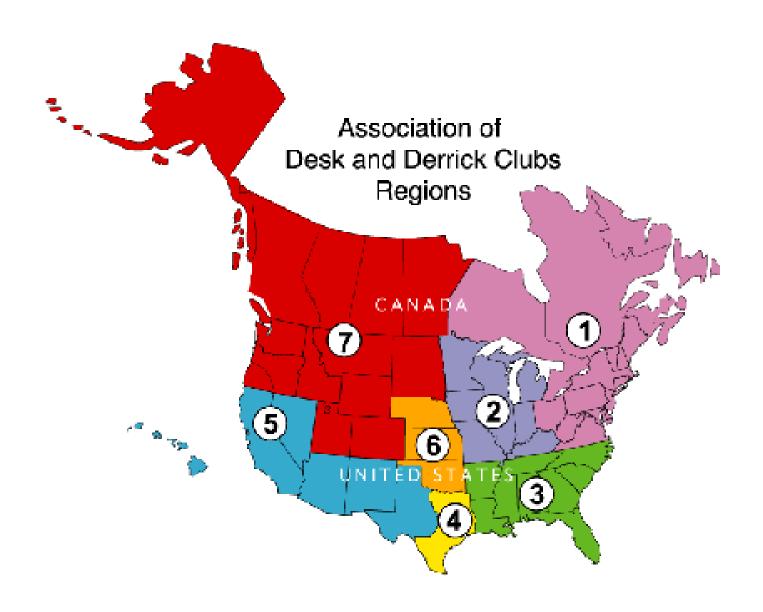
Volume 33

December 2009

Number 12

WESTBANK





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Motto Greater Knowledge - Greater Service

CLUB PURPOSE

The purpose of this club shall be to promote the education and professional development of individuals employed in or affiliated with the petroleum, energy, and allied industries.

MISSION STATEMENT

The mission of the club is to enhance and foster a positive image to the global community by promoting the contribution of the petroleum, energy and allied industries through education by using all resources available.

Monthly General Membership Meeting held the fourth Wednesday of each month at The Four Columns, 3711 Westbank Expressway, Harvey, Louisiana Meetings begin at 6:00 p.m.



RSVP to Gaylen Guillory (504) 301-8809 or gagui811@cox.net

The Westbank Oil Patch is published monthly.

Submit articles or items of interest to

Theresa Adams, Editor – 300 Long Lake Drive, Covington LA 70435 theresabadams@bellsouth.net

Club web site: http/www.westbankdandd.org
Cover artwork by Superior Software Design





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Association Information





President's Newsletter

December 2009

Reginia Garner President

reginiagarner@mackenergycorp.com reginia@pvtn.net

Greetings Members,

This letter was much harder to begin than I imagined. I thought that by the time I'd reached the 12th letter I'd be anxious to get it done ... or at least more relaxed about sharing my thoughts, but neither has proven the case.

More than anything, I want to thank each of you for allowing me to serve as ADDC President. Several years ago, I could not see myself talking on such a responsibility, but now I can't imagine where I would be if I hadn't decided to at least try. The support of all my friends and fellow members means more than any of you can imagine. From the first Regional meeting in New Orleans through the spectacular convention in Calgary, and even now, as things are winding down, you have all been wonderful.

I know that even though I will be leaving office, I look forward to continuing to work to make the Association better for all members in whatever capacity arises and I'm confident the incoming Board will do a fabulous job to help lead us into the future. I am also confident that you will give Donna the same support and respect (and occasionally, patience) I have received all year long.

I wish everyone a joyous Christmas holiday season and prosperous New Year and take this opportunity to offer one last reminder to everyone – If you can imagine your goal and believe in yourself and those around you, you can achieve ANYTHING!



Regima

| Name/Member Info | O/H | Office Info | Home Info | Phones | |
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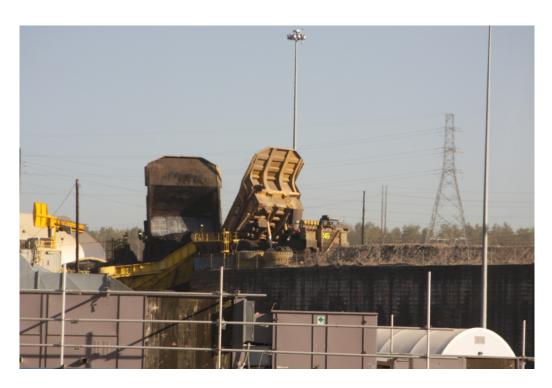
Association of Desk and Derrick Clubs 2009 Regional Directors

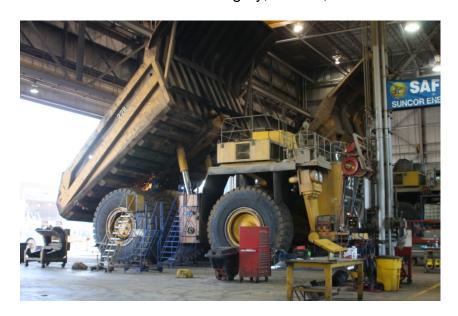
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| Christine Wolfe Region I Buckeye YrMemb: 2001 Bday: 02/20 Administrative Assistant | 0 | Marathon Petroleum Co., LLC 539 S Main St Rm 6137 Findlay, OH 45840 cnwolfe@marathonoil.com | 538 Winfield Ave. Findlay, OH 45840 cwolfe8@woh.rr.com | (419) 421-3591 O (419) 421-4516 F (419) 425-1853 H |
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Region Information



Region III Director's Newsletter

& D... A Journal of twee-ending Knowledge

Elaine Lesnak Region III Director

elesnak@miswaco.com

December 2009

To: All Region III Members

Merry Christmas and a Happy New Year.

Well this has been an exciting and interesting year for me. It has gone by too quickly. I would like to thank all Region III Members for their support and hard work making this a great year for me. I would like to thank the following for their help, my Assistants Cheryl LeBoeuf and Gaylen Guillory; Parliamentarian, Liz Pav; Treasurer, Joyce Perkins; GAC's Kathy Denley and Pat Neatherland; Past Directors, Ada Weeks and Angie Duplessis; Region III Presidents; my home club Westbank and everyone who worked on a committee

On December 7^{th} Cheryl and I went to install the El Dorado and Red River Clubs, then on to install Lafayette on the 16^{th} I was very impressed with their commitment to our organization, industry and community and their hospitality shown to me and my assistant.

I would like to wish a happy 58^{th} birthday to the Baton Rouge Club; the official date is December 1^{st} . Also celebrating a birthday this month is the Houma Club. The club is will be 37 years young on December 6^{th} .

I would like everyone to welcome Keith Atkins to his new position as 2010 Region III Director and wish him as great a year as I had.



Best Regards

Elaine

Association of Desk and Derrick Clubs

2009 Region III Club Presidents

| Name/Member Info O/I | | Office Info | Home Info | Phones | |
|---|---|--|---|--|--|
| Lois Folse Baton Rouge YrMemb: 1990 Bday: 08/31 Legislative Assistant | 0 | ConocoPhillips 450 Laurel St Ste 1410 Baton Rouge, LA 70801 lois.c.folse@conocophillips.com | 16908 Highland Club Ave. Baton Rouge, LA 70817 | (225) 344-3206 O (225) 344-4410 F (225) 752-9941 H | |
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| Rhonda Reynolds Laurel YrMemb: 2004 Bday: 02/25 Retired/Co-Owner | Н | Retired/Double R Packers rhonda_reynolds@comcast.net | 81 Southern Colonel rd Laurel, MS 39443 | (601) 649-1436 H | |
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2009 Joint Society Meeting Photos



Deborah Baiamonte and Gabriella Hunter representing the New Orleans and Westbank Clubs



Westbank Club Information





President's Letter Cheryl LeBoeuf cheryll@cmaaccess.com



December 2009

Wow, I can't believe that this year is coming to a close. The Long and Short of Desk and Derrick journey is just about over. We have faced our challenges and have worked together to ensure that our club will continue to succeed and prosper.

At this time I would like to thank all the board and club members who have helped and supported me this year. Without you and your support I could have not done this job. I will always remember the memories we have made this year. I have immensely enjoyed serving as your President.

We will be collecting for the Gretna Food Bank at the December meeting, so please bring your can goods to the General Membership Meeting. Special thanks goes out to Vera Ledet and Bonnie Wall for taking care of this Community Service Project.

I hope that everyone has marked their calendars and made plans to attend the December meeting. Keith Atkins the Region III Director elect will install our 2010 Officers and Board of Directors. We will also have a Christmas Gift swap at the meeting. If you wish to participate, bring a \$10.00 gift to exchange.

I would like to wish you and your family a very MERRY CHRISTMAS and a HAPPY NEW YEAR!!!

Cheryl LeBoeuf

A dog is the only thing on earth that loves you more than he loves himself.

- Josh Billings

2009 Officers and Board of Directors

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Parliamentarian

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Vice President

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Gavlen Guillory

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Join us at the December Meeting of the Desk and Derrick Club of the Westbank

Tuesday, December 8, 2009

The Four Columns
3711 Westbank Expressway
Harvey, Louisiana
6:00 p.m.

Speaker
Keith Atkins
2010 Region Director Elect

Topic
Installation
2010 Officers and Board of Directors

Dinner - Buffet \$20

Gift Exchange - \$10 limit

If you make a dinner reservation and cannot attend the Membership Meeting, please contact Gaylen Guillory gagui811@cox.net or call (985)276-6214 or (504)301-8809 no later than 12:00 noon on Monday, prior to the meeting to cancel or you will be billed.

CRIMESTOPPERS – CASH FOR TIPS

There is an old saying, "Money Talks and ______ Walks." Crimestoppers uses part of this adage. A \$2500 reward is given for any tip called in that result in an arrest and indictment. Crimestoppers was started 32 years ago in Albuquerque, N.M. to assist law enforcement, and has been in the New Orleans area since 1981. To date, they have solved over10,000 felony crimes committed in an eight parish area, and paid out over \$1.4 million in cash rewards. They work with the U.S. Attorney's office and all parish law enforcement agencies.

People tend to be intimidated when calling the police about a crime. They do not want to testify and certainly do not want the perpetrators to know that someone turned them in. Crimestoppers has a way to avoid this. How does it work? By calling 822-1111, going online, or even texting your tip. You are totally anonymous. Crimestoppers has no Caller ID, and does not ask your name when you call. Online tips and text messages go through a different filter/server located in Canada which scrambles the message before it is sent, achieving anonymity. Conservations are not recorded. Your identity is not traceable. There is actually a state statute that protects privileged information. Once your tip is received and all questions are answered, you are given a tip number. With this you can call back with more information, follow up on your tip, and most importantly, claim your cash reward. This is one time when you DO want to be only a number.

We were shown a short video of the step-by-step process of a tip being received which was immediately dispatched to the proper authority.

If a reward is earned, your identity is still protected. Rewards are given in cash. A meeting time and place are agreed upon where you give your number and the exchange is made. If you do not want to do this, you can claim your reward at a bank. Just go to the drive-through teller, give them your number, and cash is returned.

Because more and more crimes are being committed by kids at an early age, Crimestoppers has instituted a state school hotline, the "Stop/Snitch Hotline." They go to schools and tell the students what it is like to be engaged in a life of crime they encourage the kids to become part of Crimestoppers. They give out school supplies and bumper stickers with contact information. Students can text their tip if they know about a gun or drugs in a locker, gang fights, or even

arson. The kids do not get \$2500. The reward money is based on a sliding scale depending on what is reported, (maybe \$50.00 to \$100.00). Upon receipt of a tip, a school counselor or social worker is notified who then checks it out. If it proves accurate, the money is turned over to the school principal who then gives it to the student. This is the only instance where someone will see who gave the tip. A lot of kids will not take the money, they are just happy to report the tip. In schools, quite often, the same names are reported.

The local Crimestoppers office is located on Airline Highway and covers eight parishes in the Greater New Orleans Area. Branches are all over the USA as well as international. The local office does work with other offices throughout the country. Case in point: After Katrina, many tips were received about local crimes with the perpetrators going to Houston. The local office contacted the Houston office, resulting in arrests.

Besides their web site, Crimestoppers advertises on local billboards, bus signs, radio, and TV. After a tip is received, descriptions may be put out in the area of the crime. After one specific shooting in a bar, a local TV station reported the story and gave out the Crimestoppers phone number, and *immediately* after it aired, calls started coming in and did lead to an arrest. This is not an isolated case, this is the norm. Crimestoppers is a very successful program! If a case has gone unsolved for a long period of time and gotten cold, the reward is sometimes increased. Often the family will add to the reward money.

A few times a year, Crimestoppers work with the U.S. Marshall's Office in the field for a fugitive roundup. Crimestoppers provides the list and the U.S. Marshalls go get them. A roundup in June 2009 resulted in 23 fugitives arrested in the first 10 days, and 29 in 30 days.

Something new is being tried in jails for older cases. Playing cards will be distributed to the prisoners describing the crimes. Prisoners talk about the crime as they are playing cards and new information can surface, resulting in reopening of the case and a new investigation.

Executive Director, Darlene Cusanza is very visible in the community. She has been recognized by a number of organizations receiving many awards. Darlene works with 30 businesses and civic leaders who work with offices throughout the country who participate. Crimestoppers is a non-profit organization, operating under IRS Code 501 (c) 3.

A question was asked as to where do they get their funding. For their operating expenses they hold two major fundraisers a year. One is an annual luncheon where key people in their organizations are recognized (not unlike our IAN). The other is a social function of some type, and of course they also accept donations.

The funding from the reward program comes from a very different source. Jefferson Parish Sheriff, Harry Lee added a \$2.00 court fee to any ticket for a moving violation to go towards the reward program. This \$2.00 can not be used for any other purpose. Five to six years ago the reward was \$1000 but as traffic fines increased, the reward was raised to \$2500. Currently this funding is being challenged in court and covers other organizations, not just Crimestoppers. (As I put this together, a ruling has just come down from a Jefferson Parish Judge that the fees will stand. This is expected to be appealed and brought to the Supreme Court, but for now, the reward program is still active.)

You will see volunteers from Crimestoppers out in the community handing out information at fairs and festivals, speaking at social events and to civic, business, and Desk and Derrick groups. We are fortunate to have our own personalized volunteer, Westbank Member, Charles Miller. He is active in many varied organizations, but Crimestoppers is the #1 program he participates in. He is not involved with giving out the rewards, but has been on the board for four years. If you see a booth at Gretna Fest or the French Quarter Festival, you might very well see Charles along with members of his family wearing t-shirts and giving out bumper stickers, flyers and other information and enjoying the festivities yet helping the community.



Submitted by: Dottie Ancona



This orientation program is presented to you as a learning tool to acquaint you with the inner workings of our organization that are new to you. Desk & Derrick is a unique organization in that it affords us the opportunity to educate *ourselves*.

The short of this program is as follows:

Our motto - Greater Knowledge - Greater Service.

The Association encompasses the United States and Canada. Tulsa, Oklahoma it is the Association Distribution Office (ADO). It has one paid employee, Andre' Martin.

The Association is comprised of the President-Regina Garner, President Elect – Donna Sibert, Vice President – Angie Duplessis, Recording Secretary – Judi Adams, Treasurer-Ruby Redington, Regional Directors from each of the Regions and Immediate Past President – Sheryl Minear

Next year the Association will hold its convention in Houston, Texas.

The Westbank club has had one Member serve as Association President, Theresa Adams. Next year Angie Duplessis will serve as President Elect.

The Association is divided into seven geographical sections called Regions. Each Region has a Regional Director who acts a liaison between the Association and Club Presidents

We have had 8 members of our club serve as Regional Director, they are:

Dottie Moore

Vera Ledet

Alice Gros

Theresa Adams

Jo Ann Brown

Judi Adams

Angie Duplessis

Elaine Lesnak

The Westbank Club will host the 2011 Region Meeting.

The Westbank Club belongs to Region III which encompasses seven states; they are Arkansas, Florida, Georgia, Louisiana, Mississippi and North Carolina and South Carolina. Of these states we have nine clubs; they are Baton Rouge, El Dorado, Houma, Lafayette, Laurel, Morgan City, New Orleans, Red River and Westbank.

Our Club consists of a Board which includes:

President – Cheryl LeBoeuf

Vice President - Bonnie Wall

Recording Secretary – Angie Duplessis

Correspondence secretary – Cora Bergeron

Treasurer – Robbie St. Pierre

Two Board Members – Dawn Ott and Elaine Lesnak

Immediate Past President – Gaylen Guillory

And Parliamentarian – Gabriella Hunter

The Board meets the Wednesday before the General Membership meeting, usually the third Wednesday of each month to discuss association and regional events, approve functions, discuss upcoming events and reports of the various committees. Anyone is welcome to participate in these Board Meetings. This is a good way to find out what duties each officer performs so you can decide on which one you will run for next year.

Significant dates:

Desk and Derrick was started in 1949 when a group of ladies from various New Orleans oil companies and oilfield service companies got together.

On April 31 1976 the first Westbank Desk and Derrick Membership Meeting was held.

In May 1976, the Westbank Desk and Derrick Club was chartered at the Regional Meeting in Lafayette.

The following Charter Members are here with us tonight:

Kori Allemand,

Judy Guillot

Sylvia Hohmann.

For more information visit the association website at www.addc.org. From this website you can go to the Westbank Club website.

For the long portion of this Orientation I will discuss each Committee and how it helps to keep our wonderful club running.

AIMEE

Bulletin/Web page

Bylaws/Handbook

Election

Field Trip

Finance/Golf Tournament

General Arrangements

IAN/Social

LRC/Leadership Resource

Membership/Orientation

Memory Book

Nominating

Program/Monthly Decoration

PR/LIC Employment

Scholarship

SUMMARY

Desk and Derrick has done a great deal for me. It has opened doors to new and exciting avenues. All that is needed is a willingness to want to learn, excel and to succeed to higher standards. Opportunities are there. It is yours for the taking.

ORIENTATION THE LONG AND SHORT OF DESK AND DERRICK

Our annual orientation was presented in October by Membership Chairman and current Region III Director, Elaine Lesnak. Working within President LeBoeuf's theme, Elaine broke things down into the long and short of orientation.

The **Short** encompasses the ADO Distribution office in Tulsa, Oklahoma with its one employee, the officers of the association board, and the site of our next convention.

Westbank has had one member who served as association president and we have another one on the way. Eight Westbank members have held the position of Region III Director.

Elaine next listed the various regions and the states that make up Region III. (Not all Region III states have clubs but the opportunity is there.)

Westbank was chartered in 1975 and we still have charter members attending our meetings. Those in attendance were introduced.

Elaine next introduced the members of the 2009 board and gave a synopsis of what their duties are, encouraging everyone to run for an office in the future.

The final part of the **Short** was general information as to time, place, and dates of our General Membership Meetings as well as our broad meetings and the assurance that anyone can sit in on a board meeting. All that is needed is to make a phone call to the president and let her know you will be attending.

Elaine covered the **Long** of Desk and Derrick by using our bylaws as a guide and reviewing each committee and introducing this year's current chair, explaining what that committee does, if help is needed with it, and if it is easy or takes a little more time. She explained that with the electronic communications we almost all have access too, all the committee chair has to do is just hit the "send" button and an e-mail is sent out to membership or the chairmen on your committee. This is certainly easier than making multiple phone calls as we have done in the past. This was a subtle push to get members thinking about working on or chairing a committee for the next year.

Let us not forget that for 2011, Westbank will host the Region III Meeting. That is a long that is getting shorter.

To sum it up, she shared a personal note of what Desk and Derrick has done for her. The opportunities are there, you just need to go for it.

After questions and answers, Elaine was presented a certificate of appreciation and was notified that we would make a donation to our scholarship fund in her name.

This orientation should prove helpful to some of our newer members, some of whom will be serving on the 2101 Board.

Compiled by: Dottie Ancona

MMS hints at Gulf sale changes

http://www.upstreamonline.com/live/article198364.ece

Source: Upstream Online By Blake Wright

The US Minerals Management Service will issue its Final Notice of Sale for Central Gulf of Mexico Sale 213 later this week with changes to the lease term rules.

Deputy Director of the MMS Walter Cruickshank confirmed to attendees at the International Association of Drilling Contractors annual meeting in Miami today that the agency has done some 'tinkering' with the rules as it relates to diligence, but he would not confirm the specific changes ahead of their publication in the Federal Register.

Cruickshank said that MMS had reviewed the lease term language in their current rules and compared that to recent time cycles for offshore drilling and development projects.

"It clearly is not taking as long as it used to," he said, referring to drilling and bringing new projects on stream.

The Obama Administration and Interior Secretary Ken Salazar had been pushing for industry to act faster on developing their lease holdings across the US.

The so-called 'Use It Or Lose It' policy had been forwarded in previous months by some on Capitol Hill in an attempt to spur oil and gas companies to either develop their acreage or make it available to someone who will.

Sale 213 is slated to occur in March next year in New Orleans.

Monday, 09 November, 2009, 22:34 GMT | last updated: Monday, 09 November, 2009, 23:55 GMT

Publications

Information submitted by Charles Miller

"IRS Takes Aim at Offshore Services to the Oil & Gas Industry" Fulbright Briefing

Nancy Bowen, Andrius Kontrimas, William Lee, Robert C. Morris and Shawn O'Brien November 5, 2009

The IRS is aggressively targeting foreign companies and the U.S. companies that hire them to perform offshore services for the oil and gas industry on the Outer Continental Shelf in the Gulf of Mexico. The IRS takes the position that these foreign companies and their foreign workers have U.S. source income and may be engaged in a U.S. trade or business. Consequently, the IRS contends that these foreign companies and their foreign workers have obligations to file U.S. tax returns and pay the U.S. taxes due on amounts earned from these offshore services. Furthermore, the IRS contends that the U.S. companies that hired and paid these foreign companies should have withheld and remitted to the IRS 30% of the amounts paid to the foreign companies.

In addition to the often substantial taxes and interest that the IRS is seeking to recover, the IRS has also signaled its intent to assert a variety of penalties against the foreign companies, their workers, and the U.S. companies that hire them. The IRS recently designated Foreign Withholding a Tier One Compliance Issue, and issued an Industry Directive dated October 28, 2009, specifically targeting activities on the Outer Continental Shelf in the Gulf of Mexico. Tier One Compliance Issues are generally the IRS's highest priority, and receive the most scrutiny by IRS auditors.

U.S. Source Income and U.S. Trade or Business

Amounts paid to foreign companies that perform services in the United States are considered "U.S. source income," and the companies performing those services may have engaged in a U.S. trade or business. Foreign companies that engage in a U.S. trade or business are generally subject to U.S. income and employment taxes, are required to file Form 1120-F (U.S. Income Tax Return of a Foreign Corporation), and may also be required to file Form 941 (Employer's Quarterly Federal Tax Return) and Form 940 (Employer's Annual Federal Unemployment Tax Return) for payments made to their workers.

Absent certain exemptions, a U.S. company that pays U.S. source income to a foreign party must withhold U.S. income tax from the payments at a 30% rate. The U.S. company generally is required to withhold and deposit the withholding taxes with the IRS, and also to report the payments on Form 1042-S and file a Form 1042 by March 15 of the year following the payments. The U.S. company's obligations to withhold and deposit 30% and to file Forms 1042-S and 1042 for the amounts paid arise so long as the amounts paid to the foreign company are considered "U.S. source income," whether or not the foreign company is engaged in a U.S. trade or business, unless the foreign company files certain forms claiming exemption from or reduced withholding.

What is the United States?

The linchpin of whether foreign companies and their workers have U.S. source income and/or are engaged in a U.S. trade or business is whether the services were performed or the income was earned in the United States. The Internal Revenue Code's definition of the "United States" is extremely broad for personal services that relate to the "exploration and exploitation" of natural resources under section 638. Under this broad definition, those performing personal services on the Outer Continental Shelf that relate to the "exploration and exploitation" of natural resources are considered to be within the "United States" for federal tax purposes.

IRS Broadly Defines "Exploration and Exploitation"

The IRS has broadly defined the services that relate to the "exploration and exploitation" of natural resources in its recently issued Industry Directive and in a 2008 private letter ruling. For example, in the Industry Directive, the IRS summarily concludes that (1) contractors that perform services on the Outer Continental Shelf (such as seismographic testing, drilling, repair, and salvage work); (2) vessel operators that merely transport supplies and personnel between U.S. ports and locations on the Outer Continental Shelf; and (3) owners and/or operators of foreign vessels that bareboat or time charter to persons that perform offshore services, are all engaged in activities related to the "exploration and exploitation" of natural resources within the United States for federal tax purposes.

The IRS's position that vessel operators who merely transport supplies and personnel on the Outer Continental Shelf are performing activities related to the "exploration and exploitation" of natural resources was first set forth in a 2008 private letter ruling. In Priv. Ltr. Rul. 200823005 (Mar. 3, 2008), the IRS applied its broad definition of "exploration and exploitation" to foreign vessel owners that transported divers across the Outer Continental Shelf. Although the foreign vessel owners did not provide the divers, and although the divers undertook repair and remediation of oil and gas pipelines and equipment rather than the drilling of oil and gas wells, the IRS nevertheless determined that the transportation services provided by the foreign vessel owners were related to the "exploration and exploitation" of natural resources and gave rise to U.S. source income.

In the Industry Directive, the IRS articulates an even broader definition of "exploration and exploitation" than in the private letter ruling. The IRS asserts in the Industry Directive that a foreign vessel owner that merely provides a vessel under a bareboat charter arrangement to contractors that then engage in activities that may relate to the "exploration and exploitation" of natural resources has U.S. source income.

It is unclear whether the IRS's expansive view of "exploration and exploitation" would survive a court challenge. Assuming that the divers in the private letter ruling and the contractors in the Industry Directive are engaged in "exploration and exploitation" activities, the IRS must attribute the activities of the divers/contractors to the captain, crew, and owners of the vessel to assert they are subject to U.S. tax. A court may find that such a connection is too remote under the rationale of *Ocean Drilling & Exploration Co. v. United States*, 24 Cl. Ct. 714 (1991), *aff'd*, 988 F.2d 1135 (Fed. Cir. 1993). In that case, the Claims Court concluded that providing insurance on

mobile drilling rigs that operated on the Outer Continental Shelf was not related to the "exploration and exploitation" of natural resources, and did not give rise to U.S. source income. The court's ruling is directly contrary to an example in the Treasury Regulations under section 638.

Information Already Available to IRS on Vessels Operating on the Outer Continental Shelf

The IRS is able to determine what vessels have been operating on the Outer Continental Shelf through U.S. Coast Guard and U.S. State Department records. Extensive information must be submitted to the U.S. Coast Guard to obtain approval for foreign vessels to be operated in U.S. waters by foreign nationals. The necessary information includes the names and nationalities of the members of the crew, the bareboat charter agreements (including amounts paid), and information and documents about the owners of the vessels and their officers and directors. Additionally, all foreign nationals working on the vessels in U.S. waters must obtain a B1 visa from the U.S. State Department before they work on the Outer Continental Shelf. The information that must be submitted to the U.S. Coast Guard and U.S. State Department for foreign vessels and foreign workers to operate on the Outer Continental Shelf allows the IRS to check whether tax returns were filed by the vessel owners and crew members that operated on the Outer Continental Shelf.

IRS Has Begun Contacting Foreign Companies that Operate Vessels on the Outer Continental Shelf

The IRS has already sent letters to several hundred foreign vessel owners that the IRS believes have operated on the Outer Continental Shelf. The IRS letter requests that the vessel owner file U.S. tax returns and pay any tax and interest due, or provide a reason why the vessel owner believes that U.S. tax returns are not required. The IRS letter requires that the foreign vessel owner respond to the IRS's request within 30 days.

The IRS will undoubtedly follow up with the foreign vessel owner to determine and target the U.S. company that hired the vessel owner. Unless the U.S. company has obtained from the foreign vessel owner appropriate documentation (Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding, Form W-8BEN, or Certificate of Foreign Person's Claim That Income Is Effectively Connected With the Conduct of a Trade or Business in the United States, Form W-8ECI) claiming exemption from withholding or reduced treaty withholding before a payment is made to the vessel owner, the IRS will assert that the U.S. payor should have (1) withheld and deposited tax from the amounts paid at the rate of 30%, and (2) filed Form 1042 and Form 1042-S to report such payments. The IRS may also assert penalties against the U.S. payor, including penalties for failure to file tax returns or pay tax, failure to file correct information returns, and failure to furnish correct payee statements, as well as the accuracy-related (negligence) penalty under section 6662.

U.S. Companies and Foreign Vessel Owners Should Prepare Now

In light of the IRS enforcement initiative, both foreign vessel owners and the U.S. companies that hire them should be prepared for potential IRS inquiries. Responding to such IRS inquiries

would include analyzing the specific facts involved in light of the U.S. tax laws; making any necessary challenges to the IRS's sometimes overly broad definition of what constitutes "exploration and exploitation" of natural resources; raising any available exceptions to or exemptions from U.S. tax return filing or withholding requirements; asserting available tax treaty exemptions or reductions; and seeking the waiver or reduction of any penalties the IRS may assert. Foreign vessel owners and the U.S. companies that hire them may also consider adjusting their tax compliance procedures going forward.

To view the IRS Industry Directive, please click here.

This article was prepared by Nancy T. Bowen (nbowen@fulbright.com or 713 651 7705), Andrius R. Kontrimas (akontrimas@fulbright.com or 713 651 5482), William S. Lee (wlee@fulbright.com or 713 651 5633), Robert C. Morris (rmorris@fulbright.com or 713 651 8404) and Shawn R. O'Brien (sobrien@fulbright.com or 713 651 5285) from Fulbright's Tax Controversies Practice Group. If you have any questions or need any assistance related to these or any other tax controversy matters, please feel free to contact any of the authors listed above or Charles W. Hall (chall@fulbright.com or 713 651 5268), Richard L. Hunn (rhunn@fulbright.com or 713 651 5293), Kathryn Keneally (kkeneally@fulbright.com or 212 318 3213), Susan V. Sample (ssample@fulbright.com or 713 651 5458) or Jasper G. "Jack" Taylor III (jtaylor@fulbright.com or 713 651 5670).

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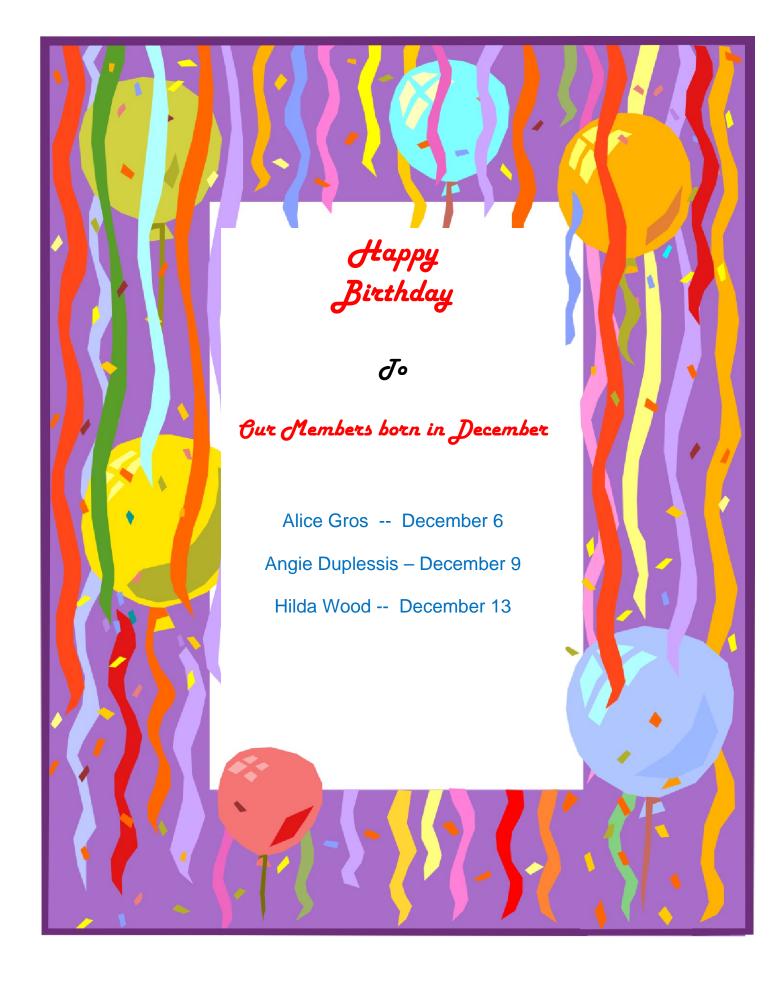
Nutritional Information by: Theresa Adams

We began the year addressing Resolutions. How did you do? Did you follow through and meet the goals you set on January 1st?? If not, You have the opportunity to succeed in 2010.

Let's review the information we gathered during the year.

- Resolutions don't give up on your resolutions or goals too quickly! When it seems too difficult, talk to a friend or relative to get you through the rough spots.
- Check the nutrition labels to be sure the foods you eat are low in fats, calories, and carbs. Remember the nutrition label also lists serving size of the package and the daily vitamin percentage per serving.
- Focus on the new Food Pyramid in order to eat more healthy.
- Exercise at least three times a week; pick an activity that you like to do.
- Be aware of chemical additives in the foods you are consuming. Additives are not natural and can cause many illnesses, including cancer.
- Remember that dietary supplements do not replace our daily servings of fruits and vegetables. Eat whole foods which provide good nutrition and fiber.
- There are water soluble and fat soluble vitamins. Review the listing of Vitamins that you need so that your body can function efficiently. If you cannot eat enough of the healthy foods, it is permissible to take the necessary supplements; be careful not to overload your system with supplements.
- Humans need about 25 Minerals in small amounts to help our bodies function properly and to stay strong. Again, be careful not to overload by taking supplemental minerals.

Good luck with your goals in 2010! Eat properly, exercise, be aware of vitamins and minerals you need. Take supplements only as directed. Following this simple routine, you will be successful and your body will reward you with better health and strength.



DESK AND DERRICK CLUB OF THE WESTBANK SCHOLARSHIP CONTRIBUTION/DONATION FORM

| NAME OF CONTRIBUTOR: |
|--|
| ADDRESS OF CONTRIBUTOR: |
| |
| TYPE OF CONTRIBUTION (please list individual's name under type of donation): |
| CONGRATULATIONS: |
| GUEST SPEAKER: |
| IN MEMORY OF: |
| OTHER: |
| NAME OF PERSON TO RECEIVE ACKNOWLEDGEMENT OF CONTRIBUTION |
| NAME: |
| ADDRESS: |
| |
| AMOUNT OF CONTRIBUTION: \$ |
| DATE OF CONTRIBUTION: |
| PLEASE SEND COMPLETED FORM, ALONG WITH CONTRIBUTION, TO: |

Desk and Derrick Club of the Westbank Scholarship Fund

P.O. Box 2875 Gretna, LA 70054-2875

(504) 366-3412 – Vonette Edwards, Chairman

MAKE CHECKS PAYABLE TO: DESK AND DERRICK CLUB OF THE WESTBANK





DESK & DERRICK CLUB OF THE WESTBANK 2009 MEETING DATES

BOARD MEETINGS

MEMBERSHIP MEETINGS

| JANUARY 21, 2009 | JANUARY 28, 2009 |
|----------------------|----------------------|
| FEBRUARY 18, 2009 | FEBRUARY 26, 2009 |
| MARCH 11, 2009* | MARCH 18, 2009* |
| APRIL 15, 2009 | APRIL 22, 2009 |
| MAY 20, 2009 | MAY 27, 2009 |
| JUNE 17, 2009 | JUNE 24, 2009 |
| JULY 15, 2009 | JULY 22, 2009 |
| AUGUST 19, 2009 | AUGUST 26, 2009 |
| SEPTEMBER 23, 2009** | SEPTEMBER 30, 2009** |
| OCTOBER 21, 2009 | OCTOBER 28, 2009 |
| NOVEMBER 11, 2009*** | NOVEMBER 18, 2009*** |
| DECEMBER 2, 2009**** | DECEMBER 8, 2009**** |
| | |

*THE MARCH BOARD AND MEMBERSHIP MEETING MOVED UP DUE TO REGIONAL MEETING.

** THE SEPTEMBER BOARD AND MEMBERSHIP MOVED DUE TO ADDC CONVENTION.

***THE NOVEMBER BOARD AND MEMBERSHIP MEETINGS MOVED UP DUE TO THANKSGIVING.

****THE DECEMBER BOARD AND MEMBERSHIP MEETINGS MOVED UP DUE TO CHRISTMAS.

ALL BOARD MEETINGS WILL BE HELD AT 110 MU STREET BELLE CHASSE, LA UNLESS NOTIFIED OTHERWISE.

ALL MEMBERSHIP MEETINGS WILL BE HELD AT, THE FOUR COLUMNS 3711 WESTBANK EXPRESSWAY, HARVEY, LA. UNLESS NOTIFIED OTHERWISE.

ALL BOARD MEETINGS AND GENERAL MEMBERSHIP MEETINGS BEGIN AT 6:00 PM

REGION III MEETING:

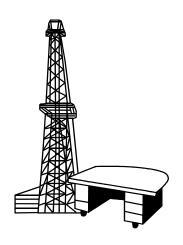
March 25-28, 2009 in New Orleans, La – hosted by the New Orleans Club

ADDC CONVENTIONS

September 14-20, 2009 in Calgary Alberta, Canada-hosted by the Alberta Foothills Club September 21-25 2010 in Houston, Texas-hosted by the Houston Club September 21-25, 2011 in St Louis, Mo-hosted by Region II

December 2009

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-------------------------------|-----------|----------------------|-------------------------------------|-----|--------------|-----|
| NOT GENERAL M ON TUESDA | EETING IS | Bulletin Deadline | BOARD MEETING | 3 | 4 | 5 |
| 6 | 7 | GENERAL MEETING | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 Christ | |
| 27 | 28 | 29 | 30 Westbank Oil Patch Page 38 | 31 | | |



Cheryl LeBoeuf, President Desk and Derrick Club of the Westbank P.O. Box 2875 Gretna, LA 70054-2875