SpencerFane®

David J. Looby

Partner

Contact

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Overview

David Looby helps individuals, families, and closely held businesses navigate tax, business, and estate planning matters, providing comprehensive and creative legal strategies to preserve wealth, manage risk, and achieve long-term financial objectives.

A significant portion of David's practice focuses on tax planning and tax controversy matters. He advises corporations, partnerships, and individuals on federal, state, and local tax issues, including the tax structuring of business transactions, entity selection, reorganizations, and other strategic planning initiatives. Clients also rely on his experience representing businesses and individuals in audit examinations, administrative proceedings, and tax disputes before the IRS, the Oklahoma Tax Commission, the U.S. Tax Court, and federal courts.

David also counsels business owners on a broad range of corporate and operational matters, assisting clients with business formation, governance, restructurings, dissolutions, and strategies for holding and transferring assets in a tax-efficient manner. His integrated approach helps clients align business objectives with tax and succession planning considerations.

Family wealth and estate planning is another key component of David's practice. He advises clients on wills, trusts, advance directives, powers of attorney, probate administration, and sophisticated wealth-transfer strategies. His experience includes implementing advanced estate planning techniques designed to preserve family wealth, support charitable objectives, and facilitate the efficient transfer of assets across generations.

Education

- University of Florida – Fredric G. Levin College of Law, 2006 (LL.M.)
- University of Tulsa College of Law, 2005 (J.D.)
- Northern Illinois University, 2000 (B.S.)

Bar Admissions

- Oklahoma, 2005

Court Admissions

- U.S. Supreme Court, 2014
- U.S. Tax Court, 2006
- U.S. Court of Appeals for the Tenth Circuit, 2011
- U.S. District Court for the Eastern District of Oklahoma, 2012
- U.S. District Court for the Northern District of Oklahoma, 2016
- U.S. District Court for the Western District of Oklahoma, 2016

Memberships

- Oklahoma Bar Association
- Oklahoma County Bar Association
- Oklahoma Bar Foundation

Presentations and Publications

- Sales & Use Tax Handbook, Oklahoma Chapter, American Bar Association

Related Experience

- Successfully represented taxpayer in obtaining a vacation of U.S. Tax Court decision.
- Successfully represented taxpayers in obtaining a complete dismissal of suit seeking to reduce federal tax liabilities to judgment.
- Successfully created new law in the U.S. Court of Appeals for the Tenth Circuit with respect to IRS third-party summonses.
- Successfully represented a nursing home against claims of reverse gender discrimination and retaliation.
- Successfully represented a skilled nursing facility against breach of lease agreement claim.
- Represented several Oklahoma and Texas-based nursing homes regarding various issues pertaining to corporate, administrative, regulatory, licensure, tax, and litigation matters.
- Represented small business owners and startup companies regarding the legal and tax structuring of a new or existing business.
- Represented individuals and companies before the U.S. Tax Court and federal district courts regarding redetermination of deficiencies, tax liens and levies, installment agreement and offer in compromise denials, trust fund penalties, and abuse of discretion issues pertaining to IRS Appeals Officer conduct.
- Successfully negotiated settlement of $14.2 million employment tax liability matter with the IRS.
- Successfully represented corporation in audit examination against the IRS culminating in allowance of $3.5 million interest and legal expense deduction.
- Successfully eliminated $246,702 employment tax liability imposed upon client by the IRS.
- Successfully reduced $105,000 income tax liability imposed upon client by the IRS to $9,480 through an offer in compromise (doubt as to liability).
- Successfully reduced $28,648 sales tax liability imposed upon client by the Oklahoma Tax Commission to $456.