

Bond Case Briefs

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Maimonides Medical Center v. U.S.

**United States District Court, E.D. New York - September 19, 2014 - F.Supp.3d - 114
A.F.T.R.2d 2014-6060**

Not-for-profit corporation brought action against the United States to recover overpayments of employment taxes. After agreeing that a refund was owed and on amount of refund, both parties filed motions for summary judgment on issue of applicable interest rate.

The District Court held that:

- Corporation was a business entity within meaning of “check-the-box” regulations;
- Corporation could not elect to classify itself as a partnership; and
- As matter of apparent first impression, corporate interest rate applied to the refund.