

**03-892 COMMISSIONER OF INTERNAL REVENUE V. BANKS**

DECISION BELOW: 345 F3d 373

LOWER COURT CASE NUMBER: 01-2171, 01-2177

**QUESTION PRESENTED:**

Whether, under Section 61(a) of the Internal Revenue Code, 26 U.S.C. 61(a), a taxpayer's gross income from the proceeds of litigation includes the portion of his damages recovery that is paid to his attorneys pursuant to a contingent fee agreement.

**CONSOLIDATED WITH 03-907 FOR ONE HOUR ORAL ARGUMENT.**

**CERT. GRANTED 3/29/2004**