



AUDIT TAX ADVISORY

FOR ATTORNEYS AND LITIGATION ASSOCIATES

Business Valuations • Quantifying Damages • **Business Split-Ups/Disputes (Buyout of the Departing Shareholder or Partner)** • Estate Tax Update • **How Taxes Affect the Forensic Accountant's Methodology and Report (Preliminary or Final)** • Reading and Understanding Financial Statements • **How One Expert Critiques Another Expert's Report** • Matrimonial Forensic Accounting & Business Valuation • **Tracing Exempt/Immune Assets (and Transmutation) in Matrimonial Cases** • Captive Insurance Companies • **Family Income Estate & Gift Tax Planning** • Determining Residency: "Should I Stay or Should I Go?" • **Retirement Plan Risk Management for Sponsors** • Law Firm Practice Management – "Happiness is Positive Cash Flow" • **Solvency Determination** • Kicking it up a Notch: Best Practices in Marketing and Networking • **Asset Protection Planning for Physicians** • HIRE and Health Care Reform • **Healthcare Reform**

HOT TOPICS

CLE AND CPE CREDITS AVAILABLE



BUSINESS VALUATIONS 1

1 or 2 CLE Credit(s) BUS or WIL
1 CPE Credit Specialized Knowledge

After a brief review of the basics, our experts focus on the key aspects of a business valuation including the optimum level of forensic accounting, the acceptable methodologies and how and when they are used, including the appropriate use of discounts, capitalization rate, reasonable compensation and the most frequently encountered normalizing adjustments. We will also cover the various standards of value and when they should be used, cash flow and tax considerations.

PRESENTERS: Tom Reck, Tom Hoberman, Ken DeGraw, Nicole Lyons, Carleen Gaskin

QUANTIFYING DAMAGES 2

1 or 2 CLE Credit(s)
BUS or COM or TORT or LAB

Learn about basic and advanced forensic accounting techniques used to quantify damages in a number of common litigation situations, such as theft, lost profits, unfair competition, royalty/intangible property losses, fraud, misrepresentation, contract damages, business interruption, tortious interference—among others—for use in both courts of equity and law. We address the forensic accountant/damage expert's use of business valuations to supplement proof of damages, and how to quantify and value future damages in a simple trial exhibits the jury can easily and quickly understand.

PRESENTERS: Tom Reck, Tom Hoberman, Ken DeGraw

BUSINESS SPLIT-UPS/DISPUTES (BUYOUT OF THE DEPARTING SHAREHOLDER OR PARTNER) 3

1 CLE Credit BUS

Our experts discuss the most frequent reasons for a split-up and/or buyout of a shareholder or partner, the available methods for determining the "fair value" or "fair market value" of the buyout, when each is called for, and the related theory behind each. We also address potential extraordinary circumstances that may permit discounts for marketability and/or a discount for a non-controlling interest (minority discount).

PRESENTERS: Tom Reck, Tom Hoberman, Ken DeGraw

ESTATE TAX UPDATE

1 CLE Credit TAX or WIL
1 CPE Credit Taxes

This course will present tax updates related to estate plans and trusts, and how recent estate tax reform legislation impacts these areas.

PRESENTERS: Marietta Bennett, Hal Terr, Ted Nappi

HOW TAXES AFFECT THE FORENSIC ACCOUNTANT'S METHODOLOGY AND REPORT (PRELIMINARY OR FINAL) 1 2 3 4

1 or 2 CLE Credit(s) BUS or TAX
1 CPE Credit Taxes

When must federal, state and local taxes (and perhaps built-in gains tax) be considered, when may they be considered and how should they be considered? Examples will include S-Corps, C-Corps, LLCs, LLPs, partnerships, estate trusts, individual tax returns and the manipulative tactics that advocates (as opposed to experts) try to use. Presented as a two hour program, or incorporated as an extra hour with these presentations.

PRESENTERS: Tom Reck, Tom Hoberman

READING AND UNDERSTANDING FINANCIAL STATEMENTS 1 2 3 4

2 CLE Credits BUS
1 CPE Credit Accounting

- Basic types of financial statements (FS)
- Understanding FS: A discussion of accountant responsibilities and implications of the related Accountant's Report Letter
- Things to know but won't see on FS
- Implications of FS in various types of litigation.

PRESENTERS: Tom Hoberman, Ken DeGraw, Bill Sansone



HOW ONE EXPERT CRITIQUES ANOTHER EXPERT'S REPORT 4

1 or 2 CLE Credit(s) BUS or SKL

A look into the areas that are most likely to have weakness or are more susceptible to advocacy of a party rather than a position, and which can be capitalized upon in cross examination. An indispensable tool for litigants who wish to ferret out the weaknesses of their opponents' reports. Presented as a two hour program, or incorporated as an extra hour with these presentations.

PRESENTERS: Tom Hoberman, Carleen Gaskin, Nicole Lyons

MATRIMONIAL FORENSIC ACCOUNTING & BUSINESS VALUATION 4

1 CLE Credit BUS or FAM

This course begins with an overview of the forensic accountant's various approaches to assess cash flow, marital lifestyle and disposable after-tax income for child support and alimony. We also address the standards of value and methodologies most frequently used in valuing a small, closely-held business for matrimonial litigation (typically businesses valued at under \$5M), current and controversial topics that can cause large discrepancies between two experts' valuation reports, and the crucial areas for attorneys to consider when reviewing an opposing expert's report.

PRESENTERS: Tom Reck, Tom Hoberman, Carleen Gaskin, Nicole Lyons

TRACING EXEMPT/IMMUNE ASSETS (AND TRANSMUTATION) IN MATRIMONIAL CASES

1 or 2 CLE Credit(s) BUS

Our instructors explain the considerations, problems, and issues that an expert faces when attempting to have assets excluded from equitable distribution, with special focus on those issues or situations which may transmute originally separate assets into marital assets. The practicality of using various reasonable and inferential methodologies due to the passage of time will also be considered. This course can be presented in a two hour format, or incorporated as an extra hour with presentation

PRESENTERS: Tom Reck, Tom Hoberman, Nicole Lyons, Carleen Gaskin



CAPTIVE INSURANCE COMPANIES

1 CLE Credit COM

Captive insurance companies (CICs) provide a wide array of benefits for clients including improved risk management, profit potential and tax planning advantages. CICs are employed by approximately 85% of the Fortune 500 companies. Due to recent IRS rulings and case law, the use of CICs has become one of the best-defined strategies for closely-held and middle market companies in an environment where planning techniques are dwindling. CICs also provide professionals with tremendous networking potential because every captive requires services from an accountant and a lawyer.

PRESENTERS: Tony Sardis, Dave Springsteen

FAMILY INCOME ESTATE & GIFT TAX PLANNING

1 CLE Credit BUS or WIL
1 CPE Credit Taxes

Withum tax specialists give attendees an overview of basic income, estate and gift tax theory in conjunction with business succession planning, while explaining the techniques that can and should be considered by the attorney when working with and planning for the future of wealthy clients and their closely-held businesses.

PRESENTERS: Tom Hoberman, Ted Nappi, Hal Terr

DETERMINING RESIDENCY: "SHOULD I STAY OR SHOULD I GO?"

1.5 CLE Credits WIL or Tax or FAM

One of the most perplexing questions that taxpayers deal with when owning more than one residence is, "Which state or locality am I a resident of?" Join WithumSmith+Brown's tax specialists as they help clarify the definition of 'resident individual' and how several jurisdictions address this issue.

PRESENTERS: Barry Horowitz

RETIREMENT PLAN RISK MANAGEMENT FOR SPONSORS

1 CLE Credit COM or WIL

A recent U.S. Supreme Court changed the playing field for plan sponsors because it allowed individual participants to directly sue. Subsequent lawsuits and settlements have centered on (i) investment option due diligence; (ii) full disclosure and reasonableness of fees; and (iii) employee education. Former employees, disgruntled and unemployed in a difficult economy, retain the same rights if they have even one penny in the plan. This presentation is designed to discuss those risks and how to manage them effectively.

PRESENTERS: Tony Sardis, Dave Springsteen

LAW FIRM PRACTICE MANAGEMENT - "HAPPINESS IS POSITIVE CASH FLOW"

1 or 2 CLE Credit(s) LPN

The business of practicing law has become more complex in light of the 'new' economy, use of technology and internet, and access to other resources. Understanding how to best use these resources to cut expenses and increase revenue are business fundamentals that apply to any practice. Monitoring policies, practices and procedures will keep the law firm current and profitable, now and in the future.

PRESENTER: Bill Sansone, Tom Hoberman

SOLVENCY DETERMINATION

1 CLE Credit BAN

Pursuit of a claim under 547 or 548 of the bankruptcy code, or under the UFTA will eventually come down to the question of solvency. The establishment of solvency or insolvency as the case may be is part art, part science and part good luck. Several approaches are identified in the Code and have been refined in recent years, including the balance sheet test and what have become traditional tools of business valuation.

The session will provide an overview of the valuation techniques utilized, the information that is most relevant to gaining an understanding of the business financial condition, as well as the differences in valuing a distressed business versus a going concern.

PRESENTERS: Ken DeGraw

KICK IT UP A NOTCH: BEST PRACTICES IN MARKETING AND NETWORKING

1 CLE Credit SKL

This presentation is geared toward the younger service professional, who will receive guidance on marketing strategies and networking insights which will help them "kick it up a notch" in their careers. We will share best practices on generating new business and building your personal brand.

PRESENTERS: Rob Lightman, Rhonda Maraziti

ASSET PROTECTION PLANNING FOR PHYSICIANS

1 CLE Credit HEA or WIL

Physicians face a unique risk among businesses because they are personally liable for malpractice claims. Moreover, litigation tends to increase during economic hardship. The convergence of these factors presents unacceptable risk. New techniques, however, can provide physicians with the continued use of their assets while affording the protection against lawsuits that the new healthcare law failed to address.

PRESENTERS: Tony Sardis, Dave Springsteen

HIRE AND HEALTHCARE REFORM

2 CLE Credits HEA or BUS

This course provides an overview of the Hiring Incentives to Restore Employment (HIRE) Act of 2010 and the Health Care Act of 2010, and the implications these have on the profession now.

PRESENTERS: Marietta Bennett, Hal Terr, Tony Sardis, Dave Springsteen

HEALTHCARE REFORM

1 CLE Credit COM or HEA or TAX (depending on preference of focus)

The new healthcare law has sweeping implications for everyone, individuals and business alike. One of the most elaborate legislative documents, the new law goes beyond issues that merely impact healthcare. It includes, for example, a provision codifying the economic substance doctrine which has far-reaching implications tax planning. This presentation is designed to educate professionals on both the widely- and less-publicized provisions of law and how they impact clients.

PRESENTERS: Tony Sardis, Dave Springsteen, Tony Panico, Scott Mariani



AUDIT TAX ADVISORY

WHO?

The audience for this program includes attorneys and associates involved in litigation matters requiring support from experts in forensic accounting, matrimonial forensics, business valuation, damages quantification, business dissolutions and trial testimony.

WHAT?

19 seminars on topics of interest; you can pick as many programs as you would like, whether one program for a lunch-n-learn, or 6 programs for a full day session. We can offer that flexibility and program customization.

WHEN?

At a time convenient to you and your firm.

WHERE?

We will come to your office. Or we can present at one of our offices located in Morristown, New Brunswick, New York, Paramus, Philadelphia, Princeton or Red Bank.

WHY?

As one of the top litigators support practices in the region and Gold winners of the *New Jersey Law Journal's* Reader Rankings, we offer attorneys in our area a valuable learning experience.

HOW MUCH?

Absolutely free. We'll even bring the refreshments.

**ALL ARE COMPLIMENTARY
NO FEES/COSTS TO ATTEND.**

1 CLE/CPE Credit = 50 minutes

2 CLE/CPE Credits = 100 minutes

Delivery Method: Group Live

Program Level: Depending on the audience we can adjust the level (basic, intermediate, advanced, overview or update).

Prerequisites: None

Advanced Preparation: None

HOW DO I ENROLL?

To schedule a free seminar, please contact:

Allison Gorga, Marketing Coordinator

agorga@withum.com

T (609) 520 1188 x1195



WithumSmith+Brown,PC is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

For information regarding complaint and program cancellation policies please contact Allison Gorga, Marketing Coordinator, at agorga@withum.com or (609) 520 1188. Due to all programs being presented free of charge, there will be no refunds issued.

WithumSmith+Brown, PC has been granted Accredited Service Provider Status by the Supreme Court of New Jersey Board on Continuing Legal Education, to offer CLE credited educational programs. Any questions related to our status and procedures can be directed to Allison Gorga, WithumSmith+Brown, PC at agorga@withum.com.