

PROTECTING WEALTH

Asset Protection: Identity theft is increasingly experienced and is the first wave of lawless asset theft increasingly calling for personal asset protection. How title is held, which trusts are used, how valid creditors are protected, where assets are positioned, and which of some 20 plus techniques are used must be evaluated and which can be afforded by clients such as overseas trust, all have to be evaluated and carried out.

Protecting Businesses is also part of estate planning, and is more than the above saving actions. It is exciting and productive for clients and society. New forms of California corporations and the use of Nevada Limited Liability Companies for landlords, or Wyoming businesses for high-liability activities must be considered. Whether there really is "goodwill" which can never be deducted from taxes by a business buyer should be evaluated by a buyer. Drafting contracts which discourage disputes and suits truly save "big bucks". Self-enforcing agreements should be a goal of each businessperson.

Formation of corporations which includes drafting and revising as you desire:

- articles of incorporation (like your constitution);
- bylaws to carry out your articles;
- appointment of the first directors and their acceptance;
- resolutions in minutes to decided how and what to do;
- sale of assets and business interest to the corporation in return for untaxed cash and notes and shares;
- agreements with employees;
- declarations of those who invest in your corporation as are required by government;
- notices to departments of government as are required by law;
- share certificates to evidence that you own shares in the corporation;
- other documents as are necessary

Articles of a corporation so written that salespersons were able to represent that buyers of shares could live in the park governed by the articles, forever, which necessarily created factions between those who did and didn't want permanent residences plus violated some laws. Solution amendment or sale of shares thereby wasting many hopes and emotions.

Formation of LLCs, and which state is best for them;

- articles of formation (like constitution);

- Operating Agreement
- Minutes
- Employee contract

If you would like help in asset protection to include formation of a business give me a call at 949-581-0951 to set up an appointment to discuss how you might be helped.

Some examples of past cases in the following areas:

Trade Secrets

Preventing overbearing employers from stopping their employees starting their own competitive business.

Protecting true trade secrets from theft by employees.

Business Sales & Purchases

Sales of businesses protecting sellers from loss and liability to unknown creditors.

Purchases of businesses without paying for absent goodwill or hidden creditors.

Real Estate

Whether the set back lines referred to in CC&Rs were based on the surveyed boundaries or the lines mapped out in the CC&Rs or the setbacks required by the Coastal Commission.

Whether a neighbor had to cut her trees to not block my client's ocean view.