

# 17th ANNUAL INTERGEN

#### PLANNING INTO 2023: PREPARING CLIENTS FOR THE UNPRECEDENTED CHALLENGES THAT LIE AHEAD.

"A divorcing couple with substantial assets. A thriving business. An elderly parent. Children who stand to inherit wealth. These are the kinds of issues that advisors face each day that require careful design of strategies to address family, money, taxes, risk and business planning across the generations. Current market conditions make this challenge formidable, but the Intergen will reveal opportunities for advisors to grow their businesses and prosper in 2023."

- Louis W. Pierro, Esq.



**Albany** 43 British American Blvd., 2nd Fl. Latham, NY 12110 (518) 459–2100 **New York City** 260 Madison Ave., 16th Fl. New York, NY 10016 (212) 661–2480

Offices Also In: Hudson, Lake Placid, Long Island, Clark, NJ, Falmouth, MA, Clearwater, FL Pictured Left to Right: Partners Aaron Connor, Peter Strauss, Caryn Keppler and Louis Pierro



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## AGENDA

| 8:00 - 8:30   | Registration & Networking Breakfast   |
|---------------|---|
| 8:30 - 8:40   | Welcome & Case Study Overview<br>Louis Pierro, Pierro, Connor & Strauss, LLC  |
| 8:40 - 9:15   | <b>Wealth Management</b><br>Lisa Siegel, First Republic Private Wealth Management<br>Bonnie Leibowitz, First Republic Private Wealth Management |
| 9:15 - 9:50   | <b>Business Valuation</b><br>Daniel Cooper, Empire Valuation Consultants, LLC   |
| 9:50 - 10:25  | <b>Estate Planning</b><br>Caryn Keppler, Pierro, Connor & Strauss   |
| 10:25 - 10:40 | Networking Coffee   |
| 10:40 - 10:50 | <b>Remarks - Breakfast Sponsor</b><br>Frank Melia, Contour Mortgage   |
| 10:50 - 11:15 | <b>Corporate Planning</b><br>Louis Pierro, Pierro, Connor & Strauss, LLC  |
| 11:15 - 11:50 | <b>Tax Planning</b><br>Mitchell Sorkin, EisnerAmper   |
| 11:50 - 12:25 | <b>Insurance Planning</b><br>Lee Slavutin, Stern Slavutin-2 Inc.  |
| 12:25 - 12:45 | <b>Elder Law Planning</b><br>Peter Strauss, Pierro, Connor & Strauss  |
| 12:45         | Wrap Up   |



#### Corporate Planning & Intergen Host-



#### LOUIS PIERRO, ESQ. Founding Partner, Pierro, Connor & Strauss, LLC.

Louis is the Founder and Principal of Pierro, Connor & Strauss, LLC, a law firm with offices in New York City, Albany, Long Island and additional locations, serving clients in the areas of Estate Planning, Estate and Trust Administration, Business Succession Planning, Elder Law and Special Needs Planning. He is a frequent speaker across the country on legal issues relating to estate planning, elder law and business planning.

Louis is also a Founder of ElderCounsel, a national membership organization of Elder Law and Special Needs law firms, where he now serves as a consultant. It provides proprietary document drafting software and education to over 1400-member firms in all 50 states. He recently founded ApolloCare, LLC, a business that integrates home care coordination with connected home health technology providing seniors, families, and caregivers unique opportunities to live independently in their own home.

Lou is selected by his peers for inclusion in the 2023 edition of The Best Lawyers in America for Elder Law, and Trusts and Estates; his 15th year of recognition by Best Lawyers. He was also selected by his peers as Best Lawyers "2022 Lawyer of the Year" for Elder Law in New York's Capital Region; an honor he also received in 2018 and 2014. He has been recognized by Best Lawyers for Elder Law and for Trusts and Estates and by Super Lawyers for 15 years, and has been selected to the Best Lawyers in America, The Best Lawyers in New York, Super Lawyers of the Hudson Valley, Top 25 Lawyers in Upstate New York, and New York Times Top Attorneys in New York. In addition, Lou has maintained an AV preeminent rating from the Martindale-Hubbell since 2001.

Lou is currently a member of the National Academy of Elder Law Attorneys; the American Bar Association, Probate and Trust Section; the NYS Bar Association Trusts and Estates and Elder Law Sections; and the Albany County Bar Association.

A graduate of Lehigh University and Albany Law School, Lou was admitted to the New York State Bar in January of 1984, and is licensed to practice in all New York State Courts, the US Supreme Court and the Second Circuit Court of Appeals.

#### Wealth Management -



#### LISA SIEGEL

#### Sr. Managing Director, Advanced Planner, First Republic Private Wealth Management

Ms. Siegel joined First Republic in 2017. Ms. Siegel works with individuals and families (both US and foreign), engaging them in a comprehensive planning process to understand the goals and aspirations they have for their wealth and to provide them with unbiased, personalized strategies to meet their objectives. Her areas of focus include estate and multi-generational planning, business continuity and succession planning and risk management.

As a former practicing estate planning attorney, CPA and PFS, Ms. Siegel brings more than 25 years of experience in wealth protection and wealth transfer planning to her role. Prior to joining First Republic in 2017, she was a Senior Vice President and Wealth Planner at HSBC Private Bank. Prior to that, Ms. Siegel was a Senior Vice President and Senior Wealth Planner at Wells Fargo Private Bank. Ms. Siegel practiced law as a trusts and estates attorney for approximately 10 years and practiced as a CPA for approximately 10 years as well.

#### (CONTINUED ON NEXT PAGE)





#### LISA SIEGEL (CONTINUED)

#### Sr. Managing Director, Advanced Planner, First Republic Private Wealth Management

Additionally, Ms. Siegel has significant experience in planning for divorce and international estate planning.

Ms. Siegel earned her Juris Doctor from Nova Southeastern University, her Masters of Laws (in taxation) from New York University and her Bachelor of Science degree in Accounting from the University of Florida. Ms. Siegel is a member of the Estate and Gift Taxation Committee of the NYC Bar Association, the Estate Planning Council of New York City and STEP. Ms. Siegel is admitted to the Florida and New York Bars and is a member of their bar associations and the New York Society of Certified Public Accountants. She also holds the prestigious credential of a Personal Financial Specialist (PFS™) from the AICPA.



#### **BONNIE LEIBOWITZ**

#### CFP®, Managing Director, Advanced Planner, First Republic Private Wealth Management

Ms. Leibowitz joined First Republic in 2019. Ms. Leibowitz works with individuals, families and business owners, engaging them in the comprehensive financial planning process. Her areas of focus include estate and multi-generational planning, business continuity and succession planning and divorce planning.

Ms. Leibowitz joined First Republic in 2019. Prior to joining First Republic, she was a Vice President and Senior Wealth Strategist at PNC Wealth Management. Prior to that, Ms. Leibowitz was a Manager and Wealth Planner at Deloitte and Wells Fargo Private Bank as a Wealth Planner. Earlier in her career, Ms. Leibowitz practiced law as a tax, trusts and estate attorney with the New Jersey based firm Brach Eichler and later in New York with the firm of McLaughlin and Stern.

Ms. Leibowitz is admitted to the New Jersey and New York Bars and holds the Certified Divorce Financial Analyst® designation from the Institute for Divorce Financial Analysts.

Ms. Leibowitz holds the CERTIFIED FINANCIAL PLANNER™ designation from the Certified Financial Planner Board of Standards, Inc.

Ms. Leibowitz earned her Juris Doctor from Rutgers Law School-Newark, her Masters of Laws (in taxation) from New York University Law School, her Masters of Business Administration from Rutgers Business School with a concentration in Finance, and her Bachelor of Arts in Mathematics and Philosophy from Boston College.

#### Business Valuation -



#### DANIEL COOPER

#### Senior Manager, Empire Valuation Consultants, LLC

Daniel has over 15 years of valuation experience including work for estates and clients undertaking estate planning. He has valued operating companies from \$1 million to several billion in sales and also has a background in appraising holding companies with different types of equity units. Beyond that work he has analyzed intellectual property rights including multiple engagements involving royalties one of which was the valuation of a well known book franchise where sales exceeded 100 million copies.

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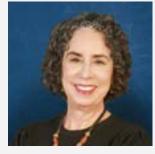


#### **DANIEL COOPER (CONTINUED)** Senior Manager, Empire Valuation Consultants, LLC

In addition, he works with companies looking at the feasibility of an ESOP and how they can source bank debt. He takes pride in working closely with the key parties (management, credit officers, and attorneys) to ensure a successful transaction and typically helps clients to obtain financing packages in the \$1 million to \$25 million range.

Daniel is a frequent speaker at industry events and was published by the National Center for Employee Ownership ("NCEO") in their Guide to DOL ESOP Investigations (2019). He received his undergraduate degree in Economics, Politics, and Philosophy from the University of Oxford. Daniel is also affiliated with The ESOP Association and a member of the NCEO.

#### Estate Planning -



#### CARYN KEPPLER, ESQ. Partner, Pierro, Connor & Strauss, LLC.

Caryn B. Keppler joined Pierro, Connor & Strauss as Partner in the New York City office in January 2021. She has extensive experience in all aspects of estate, gift and charitable planning for foreign and domestic individuals, artists and collectors, conventional and alternative families, as well as business succession and continuity planning. Caryn's areas of focus also include representing individuals regarding prenuptial, post-nuptial and domestic partnership agreements and assisting families in planning for their disabled children. She has represented artists' foundations, both fiduciaries and beneficiaries in the administration of domestic estates and trusts, as well as estates and trusts with contacts to international jurisdictions, and in litigation in the Surrogate's Courts. Prior to entering private practice, Caryn was an attorney with the Internal Revenue Service.

Ms. Keppler is selected for inclusion in the 2023 edition of The Best Lawyers in America for Trusts and Estates; an honor she also received in 2022. Recognition in Best Lawyers is widely regarded by both clients and legal professionals as a significant honor, conferred on a lawyer by his or her peers.

Ms. Keppler is certified as an Estate Planning Law Specialist\* by the Estate Law Specialist Board, Inc., an organization accredited by the American Bar Association and affiliated with the National Association of Estate Planners and Councils. Caryn is one of a select number of Estate Planning Law Specialists practicing in New York and New Jersey.

Ms. Keppler is a Director of the Estate Law Specialist Board Inc. and a member of the American Bar Association's Section of Real Property, Trusts and Estate Law, Income and Transfer Tax Planning Group, the New York State Bar Association Trusts and Estates Section, the New York State Bar Association Entertainment, Arts and Sports Law Section and the New York State Bar Association's LGBTQ Law Section. She is also a member of the New York City Bar Association's Entertainment Law Committee, and its Art Law Committee, where she is Chair of the Tax Subcommittee. Ms. Keppler is also a member of ArtTable, an association of professionals working in the arts. She is a member of the Estate Planning Council of New York City, a past president of the Rockland County Estate Planning Council and a former member of the Westchester County Estate Planning Council.

Ms. Keppler received her B.A. from Binghamton University in 1980 and her J.D. from Brooklyn Law School in 1984. She is admitted to practice law before the Courts of the States of New York, New Jersey and Florida, as well as the Federal District Courts of New Jersey and the Middle District of Florida.



#### Trust Funding



#### FRANK MELIA Division Manager, Contour Mortgage

Frank has worked in the financial services industry since 1990, working as a financial advisor for the first 10 years of his career. Over the past 17 years, he has built a successful track record as a loan officer, with a focus on both residential and commercial lending. In 2007, Frank received his Certified Mortgage Planning Specialist designation from the CMPS Institute in Ann Arbor, Michigan.

Today, he offers guidance on a range of lending products, such as purchase and refinance loans, reverse mortgages, commercial financing, construction loans, and portfolio lending programs. Viewed as an expert on the mortgage industry, Frank can be heard on "Ask the Lawyer with Mike Connors," a weekly radio program broadcast on AM 970 The Answer and AM 570 WMCA in New York City.

#### Tax Planning -



#### MITCHELL SORKIN CPA, MBA, PFS, CEA, Partner, EisnerAmper

Mitchell Sorkin is a Tax Partner with over 45 years of expertise in wealth and business management, as well as personal financial, corporate, individual, trust, estate, partnership, investment, and international planning. His clients include high net worth individuals, import and export businesses, personal service firms, distributors, and manufacturers.

Prior to joining the firm, Mitchell was a Tax Partner at Raich Ende Malter & Co. LLP (REM), a leading full-service accounting and auditing firm providing a wide variety of accounting, tax, and business advisory services to organizations of all sizes, emerging businesses, and high net worth individuals.

As an active member of the American Institute of Certified Public Accountants (AICPA), Mitchell holds a Certificate in Educational Achievement in Business Evaluations, as well as the AICPA Personal Financial Specialist designation. He is the former Chair of the New York State Society of Certified Public Accountants (NYSSCPA) International Taxation Committee.

Mitchell is a frequent writer and lecturer on domestic and international taxation, business management, and wealth management topics.

#### Insurance Planning -



#### LEE SLAVUTIN MD, CLU, AEP (Distinguished), Stern Slavutin-2 Inc.

Lee Slavutin has been in the life insurance business since 1983. Born in Australia, Lee practiced as a surgical pathologist until he came to New York as the chief resident in pathology at Lenox Hill Hospital where he worked as a staff pathologist until changing his career. Lee's unique medical qualifications are an important part of his specialty, which is serving high net worth individuals seeking substantial life insurance policies. Lee is a well-known public speaker and educator for the legal and accounting professions including the American Law Institute/American Bar Association and

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#### LEE SLAVUTIN (CONTINUED) MD, CLU, AEP (Distinguished), Stern Slavutin-2 Inc.

the American Institute of Certified Public Accountants. He has written and published over 150 articles on the complex legal and technical aspects of securing life insurance for estate tax planning. His text book published by Thomson Reuters, A Guide to Life Insurance Strategies, is in its 11th edition. Lee has served as a director of the Association of Advanced Life Underwriters and the Estate Planning Council of New York. He is on the editorial advisory board of Tax Hotline and is a member of the CCH Estate and Financial Planning advisory board. Lee testified before the New York State Senate in 1990 and worked with the United States General Accounting Office on the effectiveness of the insurance company rating firms.

"Our greatest source of pride in business is supporting our clients to make decisions after they understand all the facts. The client's best interest comes first; there is never a question about that for us. We pride ourselves in providing technical expertise for those who sometimes need to make irrevocable estate planning decisions."

Lee lives in New York and East Hampton with his wife Dee. They have two grown children. He enjoys learning the Torah and Tanya (the spiritual roadmap of life based on Jewish mysticism).

#### Elder Law Planning -



#### PETER J. STRAUSS, ESQ. Senior Partner, Pierro, Connor & Strauss, LLC.

Peter J. Strauss is Senior Partner at Pierro, Connor & Strauss, headquartered in its New York office. He has practiced trusts and estate law since 1961 and has special expertise in the legal problems of aging and persons with disabilities, end of life issues and the capacity of persons with disabilities to execute legal documents with respect to health care.

Mr. Strauss is a founding member of the National Academy of Elder Law Attorneys, a Fellow of the American Academy of Trust and Estate Counsel (ACTEC) and Distinguished Adjunct Professor of Law at the New York Law School, where he teaches Elder Law and is director of the guardianship clinic.

He has been selected by his peers for inclusion in the 2023 edition of The Best Lawyers in America for three practice areas: Elder Law, Litigation - Trusts and Estates, and Trusts and Estates; it is his 15th year of this recognition. He is the 2022 recipient of the National Academy of Elder Law Attorneys "Theresa Award," given annually by the Theresa Alessandro Russo Foundation to recognize an attorney for outstanding achievements, efforts and advocacy for individuals with disabilities. Mr. Strauss was also the recipient of the New York State Bar Association "2019 Attorney Professionalism Award," given to one attorney in the State each year. He has been honored from 2007 to 2019 as one of the New York Metropolitan area's "Best Lawyers," and "Super Lawyer" from 2007 to 2016.

Mr. Strauss is a prolific author and has written articles for various publications including the New York Law Journal and Bottom Line Personal and has addressed many national professional and consumer organizations. He is the author of the consumer book, "The Complete Retirement Survival Guide: Everything You Need to Know to Safeguard Your Money, Your Health and Your Independence," (Facts-on-File, Inc. 2003). Mr. Strauss presently serves on the Executive Committee of the Elder Law & Special Needs Section of the New York State Bar Association, the Board of Directors of End of Life Choices New York and JALBCA (Judges & Lawyers Breast Cancer Alert) and the Steering Committee of the Louis Armstrong Center for Music and Medicine.



## **CASE STUDY**

**Synopsis** Marcus: Age 61 Kim: Age 58 Co-Owners: MK Fuel

Meet Marcus and Kim, a couple who, after 24 years of marriage, are now going through a divorce. The couple has two children in their 20's, and Kim has a daughter, Marcia, age 32, from a previous relationship.

#### The Business - MK Fuel

Marcus has owned and operated a propane business, MK Fuel, since before he was married, having inherited it from his family. The original plant, housed in a Brooklyn building, was relocated to Tarrytown in the Hudson Valley in 2020 and is in the process of converting to production of renewable energy. Marcia is a chemical engineer who started working at the company and introduced a new fuel cell patent. Contracts are being negotiated and sales are expected to take off.

#### **Divorce Factors**

The couple has growing concerns even though the divorce discussion is amicable so far. Marcus will continue to run the day-to-day operations of the business, and Kim has already taken a job in the arts. So how do they now unwind all the estate and wealth planning they've done, and divide up their substantial assets equitably - both for themselves and their children?

#### The Children

Marcia: Age 32 (Kim's Daughter from Previous Marriage) Ted: Age 23 (Son of Marcus & Kim) Carol: Age 21 (Daughter of Marcus & Kim)

Marcia is a Columbia University graduate who first worked at GE and then joined MK Fuel. She is an important part of the management team and her work on the patent is the company's fuel for growth. Marcus agrees she should have a continuing role in the company. Ted and Carol are not interested in working in the family business, and have expressed interest in the arts and social affairs after pursuing post-graduate degrees.







## CASE STUDY, cont.

#### Income:

Marcus & Kim

\$2 million from MK Fuel \$500K from Investments

Kim

\$100K from job at Guggenheim

#### Marcus and Kim's Assets

Net Worth \$60+ mil

Bronxville Home Vacation Condo in Miami MK Fuel Lease with Option to Buy Property Liquid Assets (Investments, cash) Personal Property (Art, Collectibles, etc.)

\$5 mil \$3 mil (\$435K Mortgage) \$35 mil (according to Marcus)

\$9.7 mil \$2 mil

Insurance for Both

- Second-to-Die Policies
- Individual Term Policies

#### Building in Brooklyn

- Value has grown to \$10 mil
- Business was originally housed in the building
- Building and 3 acres of adjacent land will be sold

#### Marcus and Kim's Estate Planning

The couple had created Spousal Lifetime Access Trusts (SLAT's) SLAT 1 - \$12 mil Grantor is Marcus, FBO Kim funded with company stock SLAT2 - \$6 mil Grantor is Kim, FBO in Marcus' funded with marketable securities

#### The Future of MK Fuel

- Kim will be leaving the business as part of the divorce
- Kim's daughter Marcia has developed a clean energy patent *may increase value of business dramatically*
- Marcia, stepdaughter to Marcus is the natural successor in the family business



## CASE STUDY, cont.

Joyce, Kim's Mother Divorced, Age 84

Joyce is in good health, but has shown a loss of memory. She is currently in a relationship with Barbara, and for the past ten years they have been "life partners."

#### Joyce's Assets

- Condo = \$250K (\$100K Mortgage)
- Joyce's IRA = \$350K
- Income = \$2800/month
- NYS Partnership LTC Insurance Policy
  - Daily Benefit = \$275 (Max Benefit \$300K)

#### Barbara's Assets - Unknown

If Joyce and Barbara get married, what are the tax and financial implications, and the impact on Joyce's Medicaid eligibility?

#### **THE CHALLENGE**

INTERGEN

For answers, Marcus and Kim bring their team of advisors together to address a host of pressing questions:

- What happens to their existing estate and trust plan now that it has to split apart in the divorce?
- How should their investment portfolio, real estate, retirement accounts and insurance policies change to individually maximize wealth equitably in the divorce?
- How can they structure ownesrhip and control of MK Fuel to Marcus and a future income stream for Kim?

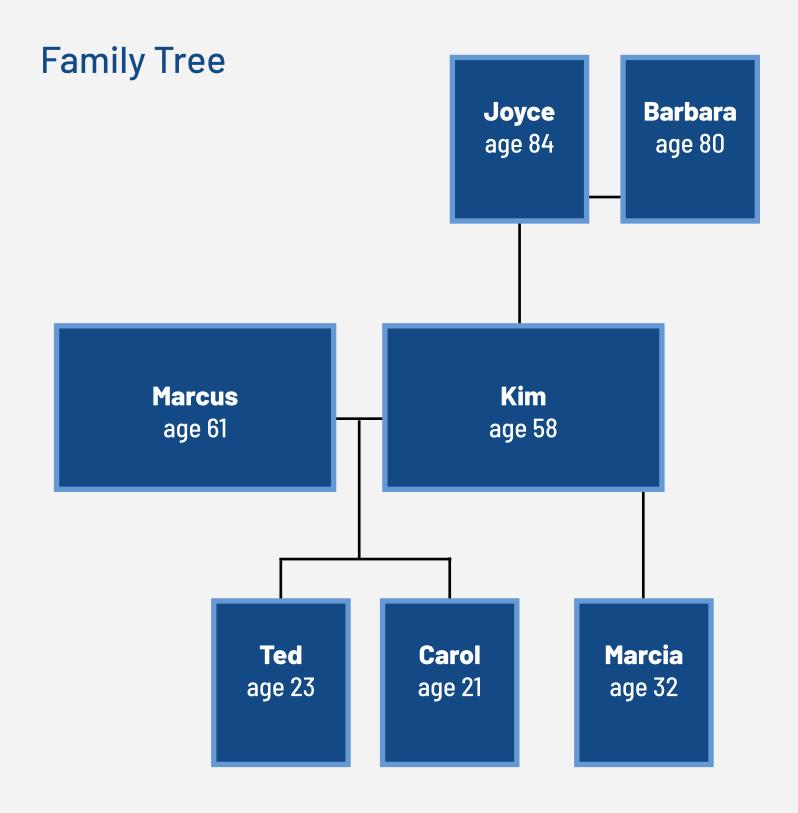
• How does today's volatile economy, with runaway inflation, increasing interest rates and market volatility impact their Plan? What opportunities are still available for this family to preserve wealth, reduce risk and lower taxes?

• How can other generations - older and younger - be taken care of?

#### Above All, This Couple Wants to Know: How Can the Divorce Be Equitable in Business and Life?



## CASE STUDY, cont.





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## RUTH'S READY. ARE YOU?

PLANNING FOR THE NEXT GENERATION'S FINANCIAL NEEDS IS ONE OF THE MOST PERSONAL FIDUCIARY RESPONSIBILITIES YOU'LL EVER FACE. WHY FACE IT ALONE?

EisnerAmper will make sure your strategy's overall structure is sound and the details are met in full, to protect and enhance the financial security of your heirs over the long term. Our estate and tax planning professionals have the deep knowledge and long experience your family's assets or business deserve.

### **BE READY. BE LIKE RUTH.**

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## We're out to set a new standard for *wealth management*.



Investment and Advisory Products and Services are Not FDIC Insured, Not Bank Guaranteed and May Lose Value.

First Republic Private Wealth Management encompasses First Republic Investment Management, Inc., an SEC-registered Investment Advisor, First Republic Securities Company, LLC, Member FINRA/SIPC, First Republic Trust Company, First Republic Trust Company of Delaware LLC and First Republic Trust Company of Wyoming LLC.

## VALUATIONS. WE SEE WHAT OTHERS DON'T LOOK FOR.

Since our founding in 1988, we have grown into one of the nation's leading and most respected independent valuation consulting firms.

With clients based across the country and internationally, we are the clear choice of top legal, accounting and wealth advisors for estate planning transfers and tax reporting.

With a staff of over 80 employees, we bring excellence and integrity to every engagement through our team of highly skilled individuals who are among the finest our industry has to offer.

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## INOTES

My Questions:

My Takeaways:

